

# **MISSOURI VETERINARY MEDICAL PRACTICE ACT**



## **Chapter 340, RSMO Statutes**

VETERINARY MEDICAL BOARD  
3605 MISSOURI BOULEVARD  
JEFFERSON CITY, MISSOURI 65102

Revised JANUARY 2023



The Honorable Michael L. Parson  
Governor

Chlora Lindley-Myers, Director  
Department of Commerce and Insurance

Sheila Solon, Division Director  
Division of Professional Registration

## Veterinary Medical Board



**STATE OF MISSOURI**  
Division of Professional Registration

This booklet is a publication of the Missouri Division of Professional Registration,  
Veterinary Medical Board



# TABLE OF CONTENTS

## Chapter 340 Veterinary Medical Board

LAW	PAGE
340.200. Definitions .....	11-13
340.202. Missouri veterinary medical board created-members-vacancies, how filled-public member-terms .....	13-14
340.204. Termination of membership, when .....	14
340.206. Duties of board-special meetings by telephone conference-open to public .....	14
340.208. Compensation, expenses .....	14
340.210. Seal-power of board-rulemaking procedure .....	14-16
340.212. Record of board proceedings-list of persons licensed, suspended, revoked, disciplined, fowarding of lists-reports of final disciplinary actions-immunity .....	16
340.214. Veterinary medical board fund created, fees to be transmitted, preemption-fund to lapse into general revenue, when .....	16-17
340.216. Practice without license prohibited, prohibited acts-exceptions .....	17-18
340.217. Practice of veterinary medicine across state lines defined—license not required, when .....	18
340.218. Evidence of intent to engage in practice .....	18
340.220. Transplant of embryo considered veterinary practice, when.....	18
340.222. Supervisor responsible and liable, when.....	19
340.224. Board's authority not limited, when.....	19
340.226. Licensed veterinary employees, prohibited when-exceptions-application of section.....	19
340.228. Application for licensure, contents-false statements, penalty-qualifications for licensure.....	19-20
340.230. Nonaccredited colleges, educational commission of foreign veterinary graduate's certificate .....	20
340.232. Registration and examination fees-return of examination fee-procedure upon failure of examination .....	20
340.234. Examination-licensure without examination .....	21
340.236. Failure to qualify for examination, notice, contents, appeal .....	21
340.238. Licensure by reciprocity, requirements-additional requirements-negotiation of compacts fee-notification of failure to qualify, filing of complaint .....	21-22
340.246. Provisional licensure, requirements-term .....	22
340.247. Veterinary faculty license, requirements, limitations-disciplinary actions-cancellation.....	22
340.248. Out-of-state veterinarian, temporary licensure for specific animal owner-term, renewal agent for service of process .....	23
340.250. Temporary or provisional license, board's exclusive authority .....	23
340.252. Display of license, certificate, permit.....	23
340.254. Existing certificate recognized, requirements.....	23
340.255. Inactive license status, procedure.....	23
340.256. Retirement, affidavit required-effect .....	24
340.258. License expires, when-notice of renewal-application for renewal, continuing education requirements, contents-false statements, penalties-declaration of noncurrency for failure to renew.....	24
340.260. Practice after declaration of noncurrency, penalty .....	25
340.262. Renewal of expired license, requirements-waiver of fees, when .....	25
340.264. Refusal to issue or renew certificate, grounds-complaint may be filed, grounds procedure .....	25-28
340.266. Application for reinstatement of license-period .....	28
340.268. Continuing education course, examination may be required .....	28
340.270. Records of patients, discoverable .....	29
340.272. Complaint for expedited hearing, when-hearing, decision, when-temporary authority final, when .....	29
340.274. Automatic revocation of license, when-automatic reinstatement, when-automatic denial of license, when.....	29
340.276. Injunctions, restraining orders, other orders, when, grounds-commencement of action, where .....	30

340.278.	Relicensing and reinstatement-conditions.....	30
340.280.	Chairman may administer oaths, issue subpoena-enforcement of subpoenas, where .....	30
340.282.	Immunity of persons cooperating with the board .....	30-31
340.284.	Medical records to be maintained .....	31
340.285.	Statute of limitations for malpractice, negligence, error, or mistake related to veterinary care of animals .....	31
340.286.	Disclosure of information, when required-immunity-waiver of privilege .....	31
340.287.	Veterinary emergency care, no civil liability, exceptions (Good Samaritan Law) .....	31
340.288.	Animal deemed abandoned, when, disposal of-immunity-abandoned defined, effectnecropsy authorized, when, disposal of corpse-owner's financial obligation .....	32
340.290.	Certain proceedings not abated .....	32
340.292.	Severability .....	32
340.294.	Penalty-separate offenses .....	32
340.296.	Veterinary technician, board to register.....	32
340.298.	Provisions applicable to technicians.....	33
340.300.	Veterinary technician, registration of, application, contents-qualifications .....	33
340.302.	Registration fee, technician-examination fee-consequences of failure .....	33-34
340.304.	Technician, admittance to examination-failure to qualify, notice .....	34
340.306.	Waiver of examination, when-grade score transfer permitted, when.....	34
340.308.	Examination for technicians-application fee-rules-notification of results.....	34
340.310.	Notice of successful examinees .....	35
340.312.	Technician certification, inactive status, when-notification of termination of employment continuing education required, when.....	35
340.314.	Expiration, renewal of technician's certificate, fees-notice of renewal, application.....	35
340.316.	Application, contents-false statements, penalty .....	35-36
340.318.	Declaration of noncurrency for failure to renew certificate, notice .....	36
340.320.	Practice as technician after revocation, penalty-application for renewal .....	36
340.322.	Renewal, inactive status.....	36
340.324.	Continuing education, requirement .....	36
340.326.	Supervision of veterinarian required-level of supervision.....	36-37
340.328.	Emergency treatment authorized-immunity .....	37
340.330.	Disciplinary action against technician authorized, when .....	37
340.335.	Loan repayment program for veterinary graduates—fund created .....	37
340.337.	Definitions .....	37-38
340.339.	Certain areas designated as areas of defined need by department by rule .....	38
340.341.	Eligibility standards for loan repayment program—rulemaking authority .....	38
340.343.	Contract for loan repayment, contents—specific practice sites may be stipulated.....	38-39
340.345.	Loan repayment to include principal, interest and related expenses—annual limit.....	39
340.347.	Liability for amounts paid by program, when—breach of contract, amount owed to state .....	39
340.350.	Rulemaking authority.....	39
340.375.	Department to administer loan program—advisory panel to be appointed, members, duties - rulemaking authority .....	40
340.381.	Program and fund created, use of moneys .....	40
340.384.	Application procedures-amount of award-number of applicants to be awarded.....	40
340.387.	Contracts for assistance-repayment-forgiveness of loan, when .....	41
340.390.	Failure to meet employment obligations, repayment of loan required-deferral on repayment permitted, when .....	41
340.393.	Action to recover amounts due permitted .....	41
340.396.	Contracts not required, when-expiration date .....	41

## Rules

RULE	DESCRIPTION	PAGE
<b>Chapter 1—General Rules</b>		
20 CSR 2270-1.011	Organization of Veterinary Technician Committee .....	45
20 CSR 2270-1.021	Fees.....	45-46
20 CSR 2270-1.031	Application Procedures.....	46-47
20 CSR 2270-1.040	Name and Address Changes .....	47
20 CSR 2270-1.050	Renewal Procedures .....	47-49
20 CSR 2270-1.051	Renewal of License or Registration for Military Members.....	49-50
20 CSR 2270-1.060	Public Records .....	50
<b>Chapter 2—Licensure Requirements for Veterinarians</b>		
20 CSR 2270-2.011	Education Requirements – Veterinarians .....	51
20 CSR 2270-2.021	Internship or Veterinary Candidacy Program .....	51-52
20 CSR 2270-2.031	Examinations .....	52-53
20 CSR 2270-2.041	Reexamination.....	53
20 CSR 2270-2.051	Licensure (Exception).....	53-54
20 CSR 2270-2.052	Faculty Licensure .....	54
20 CSR 2270-2.060	Reciprocity.....	55
20 CSR 2270-2.070	Provisional Licenses.....	55-56
20 CSR 2270-2.071	Temporary Licenses .....	56
20 CSR 2270-2.072	Temporary Courtesy License.....	56
20 CSR 2270-2.080	Military Training to Meet Requirements for Licensure.....	57
<b>Chapter 3—Registration Requirements for Veterinary Technicians</b>		
20 CSR 2270-3.011	Registration Requirements – Veterinary Technicians.....	58
20 CSR 2270-3.020	Examinations – Veterinary Technicians .....	58-59
20 CSR 2270-3.030	Reciprocity – Veterinary Technicians.....	59-60
20 CSR 2270-3.040	Temporary Registration for Veterinary Technicians .....	60
20 CSR 2270-3.045	Military Training to Meet Requirements for Registration .....	60-61
20 CSR 2270-3.050	Animal Health Care Tasks .....	61
<b>Chapter 4—Minimum Standards</b>		
20 CSR 2270-4.011	Minimum Standards for Veterinary Facilities .....	62-64
20 CSR 2270-4.021	Minimum Standards for Emergency Clinics/Services .....	64-65
20 CSR 2270-4.031	Minimum Standards for Practice Techniques.....	65-68
20 CSR 2270-4.041	Minimum Standards for Medical Records .....	68
20 CSR 2270-4.042	Minimum Standards for Continuing Education for Veterinarians .....	68-70
20 CSR 2270-4.050	Minimum Standards for Continuing Education for Veterinary Technicians.....	71-72
20 CSR 2270-4.060	Minimum Standards for Supervision .....	73
<b>Chapter 5—Veterinary Facility Permits</b>		
20 CSR 2270-5.011	Permit Applications – Veterinary Facilities .....	74
20 CSR 2270-5.021	Veterinary Facility Self-Inspection Procedures.....	75
20 CSR 2270-5.031	Facility Permit Renewal Procedures .....	75
20 CSR 2270-5.041	Temporary Continuance of Veterinary Practice Upon Death or Owner .....	75-76
<b>Chapter 6—Professional Conduct for the Practice of Veterinary Medicine</b>		
20 CSR 2270-6.011	Rules of Professional Conduct.....	77
<b>Chapter 7—Disciplinary Proceedings</b>		
20 CSR 2270-7.010	Public Complaint Handling and Disposition Procedure.....	80
20 CSR 2270-7.020	Revocation of Temporary or Provisional License .....	80
20 CSR 2270-7.030	Automatic Revocation of License .....	81
	Required Levels of Supervision Table .....	82



# **STATUTES**

**CHAPTER 340**



# CHAPTER 340

## MISSOURI VETERINARY MEDICAL BOARD

**340. 200. Definitions.** When used in sections 340.200 to 340.330, the following terms mean:

- (1) "**Accredited school of veterinary medicine**", any veterinary college or division of a university or college that offers the degree of doctor of veterinary medicine or its equivalent and is accredited by the American Veterinary Medical Association (AVMA);
- (2) "**Animal**", any wild, exotic or domestic, living or dead animal or mammal other than man, including birds, fish and reptiles;
- (3) "**Applicant**", an individual who files an application to be licensed to practice veterinary medicine or to be registered as a veterinary technician;
- (4) "**Appointed member of the board**", regularly appointed members of the Missouri veterinary medical board, not including the state veterinarian who serves on the board ex officio;
- (5) "**Board**", the Missouri veterinary medical board;
- (6) "**Consulting veterinarian**", a veterinarian licensed in another state, country or territory who gives advice or demonstrates techniques to a licensed Missouri veterinarian or group of licensed Missouri veterinarians;
- (7) "**ECFVG certificate**", a certificate issued by the American Veterinary Medical Association Educational Commission for Foreign Veterinary Graduates or its successor. The certificate must indicate that the holder of the certificate has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited school of veterinary medicine;
- (8) "**Emergency**", when an animal has been placed in a life-threatening condition and immediate treatment is necessary to sustain life or where death is imminent and action is necessary to relieve pain or suffering;
- (9) "**Faculty member**", full professors, assistant professors, associate professors, clinical instructors and residents but does not include interns or adjunct appointments;
- (10) "**Foreign veterinary graduate**", any person, including foreign nationals and American citizens, who has received a professional veterinary medical degree from an AVMA listed veterinary college located outside the boundaries of the United States, its territories or Canada, that is not accredited by the AVMA;
- (11) "**License**", any permit, approval, registration or certificate issued or renewed by the board;
- (12) "**Licensed veterinarian**", an individual who is validly and currently licensed to practice veterinary medicine in Missouri as determined by the board in accordance with the requirements and provisions of sections 340.200 to 340.330;
- (13) "**Minimum standards**", standards as set by board rule and which establish the minimum requirements for the practice of veterinary medicine in the state of Missouri as are consistent with the intent and purpose of sections 340.200 to 340.330;
- (14) "**Person**", any individual, firm, partnership, association, joint venture, cooperative or corporation or any other group or combination acting in concert; whether or not acting as principal, trustee, fiduciary, receiver, or as any kind of legal or personal representative or as the successor in interest, assigning agent, factor, servant, employee, director, officer or any other representative of such person;
- (15) "**Practice of veterinary medicine**", to represent directly, indirectly, publicly or privately an ability and willingness to do any act described in subdivision (28) **of this section**;
- (16) "**Provisional license**", a license issued to a person while that person is engaged in a veterinary candidacy program;

(17) "**Registered veterinary technician**", a person who is formally trained for the specific purpose of assisting a licensed veterinarian with technical services under the appropriate level of supervision as is consistent with the particular delegated animal health care task;

(18) "**Supervision**":

(a) "**Immediate supervision**", the licensed veterinarian is in the immediate area and within audible and visual range of the animal patient and the person treating the patient;

(b) "**Direct supervision**", the licensed veterinarian is on the premises where the animal is being treated and is quickly and easily available and the animal has been examined by a licensed veterinarian at such times as acceptable veterinary medical practice requires consistent with the particular delegated animal health care task;

(c) "**Indirect supervision**", the licensed veterinarian need not be on the premises but has given either written or oral instructions for the treatment of the animal patient or treatment protocol has been established and the animal has been examined by a licensed veterinarian at such times as acceptable veterinary medical practice requires consistent with the particular delegated health care task; provided that the patient is not in a surgical plane of anesthesia and the licensed veterinarian is available for consultation on at least a daily basis;

(19) "**Supervisor**", a licensed veterinarian employing or utilizing the services of a registered veterinary technician, veterinary intern, temporary provisional licensee, veterinary medical student, unregistered assistant or any other individual working under that veterinarian's supervision;

(20) "**Temporary license**", any temporary permission to practice veterinary medicine issued by the board pursuant to section 340.248;

(21) "**Unregistered assistant**", any individual who is not a registered veterinary technician or licensed veterinarian and is employed by a licensed veterinarian;

(22) "**Veterinarian**", "doctor of veterinary medicine", "DVM", "VMD", or equivalent title, a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds a ECFVG certificate issued by the AVMA;

(23) "**Veterinarian-client-patient relationship**", the veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal and the need for medical treatment, and the client, owner or owner's agent has agreed to follow the instructions of the veterinarian. There is sufficient knowledge of the animal by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal. Veterinarian-client-patient relationship means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal by virtue of an examination or by medically appropriate and timely visits to the premises where the animal is kept. The practicing veterinarian is readily available for follow-up care in case of adverse reactions or failure of the prescribed course of therapy;

(24) "**Veterinary candidacy program**", a program by which a person who has received a doctor of veterinary medicine or equivalent degree from an accredited school of veterinary medicine can obtain the practical experience required for licensing in Missouri pursuant to sections 340.200 to 340.330;

(25) "**Veterinary facility**", any place or unit from which the practice of veterinary medicine is conducted, including but not limited to the following:

(a) "**Veterinary or animal hospital or clinic**", a facility that meets or exceeds all physical requirements and minimum standards as established by board rule for veterinary facilities; provides quality examination, diagnostic and health maintenance services for medical and surgical treatment of animals and is equipped to provide housing and nursing care for animals during illness or convalescence;

(b) "**Specialty practice or clinic**", a facility that provides complete specialty service by a licensed veterinarian who has advanced training in a specialty and is a diplomate of an approved specialty board. A specialty practice or clinic shall meet all minimum standards which are applicable to a specialty as established by board rule;

(c) "**Central hospital**", a facility that meets all requirements of a veterinary or animal hospital or clinic as defined in paragraph (a) of this subdivision and other requirements as established by board rule, and which provides specialized care, including but not limited to twenty-four-hour nursing care and specialty consultation on permanent or on-call basis. A central hospital shall be utilized primarily on referral from area veterinary hospitals or clinics;

- (d) "**Satellite, outpatient or mobile small animal clinic**", a supportive facility owned by or associated with and has ready access to a full-service veterinary hospital or clinic or a central hospital providing all mandatory services and meeting all physical requirements and minimum standards as established by sections 340.200 to 340.330 or by board rule;
- (e) "**Large animal mobile clinic**", a facility that provides examination, diagnostic and preventive medicine and minor surgical services for large animals not requiring confinement or hospitalization;
- (f) "**Emergency clinic**", a facility established to receive patients and to treat illnesses and injuries of an emergency nature;
- (26) "**Veterinary candidate**", a person who has received a doctor of veterinary medicine or equivalent degree from an accredited school or college of veterinary medicine and who is working under the supervision of a board-approved licensed veterinarian;
- (27) "**Veterinary intern**", a person who has received a doctor of veterinary medicine or equivalent degree from an accredited school or college of veterinary medicine and who is participating in additional clinical training in veterinary medicine to prepare for AVMA-recognized certification or specialization;
- (28) "**Veterinary medicine**", the science of diagnosing, treating, changing, alleviating, rectifying, curing or preventing any animal disease, deformity, defect, injury or other physical or mental condition, including, but not limited to, the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthesia or other therapeutic or diagnostic substance or technique on any animal, including, but not limited to, acupuncture, dentistry, animal psychology, animal chiropractic, theriogenology, surgery, both general and cosmetic surgery, any manual, mechanical, biological or chemical procedure for testing for pregnancy or for correcting sterility or infertility or to render service or recommendations with regard to any of the procedures in this paragraph;
- (29) "**Veterinary student preceptor**", a person who is pursuing a veterinary degree in an accredited school of veterinary medicine which has a preceptor program and who has completed the academic requirements of such program.

(L. 1992 H.B. 878 § 1, A.L. 1999 S.B. 424, A.L. 2004 H.B. 869)

### **340.202. Missouri veterinary medical board created--members--vacancies, how filled--public member--terms.**

1. There is hereby created a board to be known as the "Missouri Veterinary Medical Board". The board shall consist of the state veterinarian, who shall serve ex officio, and five appointed members, including a voting public member. Not more than three of the appointed members shall be of the same political party. Each appointed member, other than the public member, of the board shall be a United States citizen, a taxpaying resident of the state of Missouri for one year, a graduate of an accredited school of veterinary medicine, and shall have been lawfully engaged in the actual practice of veterinary medicine in the state of Missouri for no less than five years next preceding the date of the member's\* appointment.

2. The public member shall be at the time of the public member's\* appointment, a citizen of the United States; a resident of Missouri for a period of one year and a registered voter; a person who is not and never has been a member of any profession licensed or regulated pursuant to sections 340.200 to 340.330 or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by sections 340.200 to 340.330, or an activity or organization directly related to any profession licensed or regulated pursuant to sections 340.200 to 340.330. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or candidate for licensure.

3. The president of the Missouri Veterinary Medical Association in office at the time shall, at least ninety days prior to the expiration of the term of a board member other than the public member, or as soon as feasible after a vacancy on the board otherwise occurs, submit to the director of the division of professional registration a list of five veterinarians qualified and willing to fill the vacancy in question with the request and recommendation that the governor appoint one of the persons so listed. With the list so submitted, the president of the Missouri Veterinary Medical Association shall include in the\* letter of transmittal a description of the method by which the names were chosen by the association.

4. All members, including the public member, shall be chosen from lists submitted by the director of the division of professional registration. All appointments shall be made by the governor with the advice and consent of the senate. Before entering into the\* term of office, each member shall file a written oath to discharge the member's\* official duties in a faithful manner with the secretary of state.

5. All members shall be appointed to serve four-year terms. Any vacancy in the membership of the board shall be filled by appointment for the unexpired term.

(L. 1992 H.B. 878 § 2, A.L. 1999 H.B. 343 merged with S.B. 424)

\*Words "his or her" appear in H.B. 343, 1999.

**340.204. Termination of membership, when.** No person who has been appointed to the board shall continue his or her membership on the board if, during the term of his or her appointment, that member shall:

- (1) Transfer his or her legal residence to another state;
- (2) Have\* his or her license to practice veterinary medicine revoked or suspended; or
- (3) Miss three consecutive meetings of the board.

(L. 1992 H.B. 878 § 3, A.L. 1999 S.B. 424)

\*Word "has" appears in original rolls.

**340.206. Duties of board--special meetings by telephone conference--open to public.** 1. The board shall:

- (1) From its members elect a chairperson and a vice chairperson who shall serve a term of one year, such term to expire as of the end of the first board meeting of each calendar year;
- (2) Have at least one business meeting per year.

2. The chairperson or vice chairperson shall have the authority to call special meetings of the board when such is deemed necessary and provided that sufficient notice is given to the other board members and to the general public pursuant to chapter 610, RSMo.

3. The board may hold special meetings by telephone conference; as provided by chapter 610, RSMo.

4. All board meetings shall be open to the general public except where such meetings, or portions thereof, are required or otherwise authorized to be closed to the public pursuant to chapter 610, RSMo.

(L. 1992 H.B. 878 § 4, A.L. 1999 S.B. 424)

**340.208. Compensation, expenses.** Each member of the board shall receive as compensation an amount set by the board not to exceed fifty dollars for each day devoted to the affairs of the board and shall be entitled to reimbursement of expenses necessarily incurred in the discharge of official duties.

(L. 1992 H.B. 878 § 5)

**340.210. Seal--powers of board--rulemaking procedure.** 1. The board shall adopt and have a common seal bearing the name "Missouri Veterinary Medical Board".

2. The powers of the board are granted to enable the board to effectively supervise the practice of veterinary medicine and to carry out the intent and provisions of sections 340.200 to 340.330, and, therefore, are to be construed liberally in order to accomplish such objectives.

3. Including, but not limited to, the board shall have the power to:

- (1) Examine and determine the qualifications and fitness of applicants for a license to practice veterinary medicine in this state;
- (2) Issue, renew, deny, suspend, revoke, or place on probation any license, certificate, authority or permit to practice or assist in the practice of veterinary medicine in this state, or to otherwise discipline or assess civil monetary penalties or order restitution, or other actions consistent with the provisions of sections 340.200 to 340.330 and the rules adopted thereunder;
- (3) Conduct investigations of complaints or other investigations as deemed necessary by the board for the purpose of discovering violations of\* sections 340.200 to 340.330 or grounds for disciplining any person licensed or regulated under sections 340.200 to 340.330, and to contract for or appoint persons or committees to assist in such investigations;
- (4) Hold hearings, issue subpoenas and take testimony bearing on the records of applicants for licensing or licensees who may be under consideration by the board for discipline and to issue final orders of the board on such matters that come before the board;
- (5) Issue permits to and, upon complaint by any person, inspect any veterinary facility utilized by any practicing veterinarian or from which the practice of veterinary medicine is conducted. Such inspection shall not include any vehicle used in the practice of veterinary medicine, unless the board has received a complaint regarding such vehicle, then the board may inspect the vehicle. Such inspection shall be made by the board, a board member or other authorized representatives as appointed by the board. The results of the inspection shall be reported to the board, on forms prescribed by the board, the purpose of which shall be to ensure compliance with the provisions of sections 340.200 to 340.330 or board rules promulgated thereunder for such facilities or for seeking disciplinary action in all instances where the board has reason to believe there are or may be violations of such provisions or rules;
- (6) Provide registration for veterinary technicians, temporary licensees and provisional licensees and to adopt rules concerning the training, supervision and service limits, and continuing education of such persons while employed or acting under the supervision of licensed veterinarians and to have exclusive jurisdiction in determining the eligibility and qualification requirements and in granting or refusing to grant any registration, certificate or license for any such person or to discipline any person so registered or licensed under the provisions of sections 340.200 to 340.330 or by board rule;
- (7) Fix by board rule minimum standards for, but not limited to, the practice of veterinary medicine, medical records, emergency services, radiological services, dispensed drug labeling, nursing care, veterinary facilities, sanitation and sterilization, veterinarian-client-patient relationships, and continuing education;
- (8) Employ full- or part-time personnel, including an executive director, professional, clerical or special personnel as necessary to effectuate the provisions of sections 340.200 to 340.330 and to rent or purchase any necessary space, equipment and supplies within available appropriations;
- (9) Establish fees necessary to administer the provisions of sections 340.200 to 340.330;
- (10) Authorize the chairman or vice chairman to sign complaints or referrals for proceedings before the administrative hearing commission or in a court of competent jurisdiction as necessary for the enforcement of sections 340.200 to 340.330;
- (11) Appoint from its own membership one or more members to act as representatives of the board at any meeting within or without the state when such representation is deemed desirable;
- (12) Establish standing or ad hoc committees from its membership to facilitate its work effectively, fulfill its duties and to exercise its powers. Such committees must consist of at least two board members to transact business. Any business or action of the committee shall have no effect until and unless the business or action is ratified by a majority vote of the full board;
- (13) Adopt, amend or repeal all rules necessary to carry into effect the provisions of sections 340.200 to 340.330, including, but not limited to, the establishment and publication of rules of professional conduct for the practice of veterinary medicine and such rules as it deems necessary to supervise the practice of veterinary medicine. Such rules must be published and made available upon request to persons licensed or registered under sections 340.200 to 340.330 at no cost and distributed at no cost to all applicants for licensing or regis-

tration under sections 340.200 to 340.330. Any proposed rulemaking, revision or amendment thereto, shall be accomplished in accordance with the requirements and provisions of chapter 536, RSMo;

(14) Assist the attorney general in any proper action to oust from practice unlawful practitioners or remove from practice licensed or registered persons in violation of any provision of sections 340.200 to 340.330 or board rule and assist with any prosecution for criminal violations of sections 340.200 to 340.330; and

(15) Enter into contracts with any entity, public or private, for the purpose of having examinations prepared, graded, evaluated, proctored, or for any other examination service deemed desirable or necessary by the board.

4. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

(L. 1992 H.B. 878 § 6, A.L. 1993 S.B. 52, A.L. 1995 S.B. 3, A.L. 1999 S.B. 424)

\*Word "of" does not appear in original rolls.

**340.212. Record of board proceedings--list of persons licensed, suspended, revoked, disciplined, forwarding of lists--reports of final disciplinary actions--immunity.** 1. The board shall cause the executive director to prepare and maintain a written record of all board proceedings whether or not such proceedings are formal, informal, open or closed to the public. All records so prepared and maintained and other documents or reports incorporated therein shall be open to the public except where specifically required or allowed to be closed to the public pursuant to chapter 610, RSMo.

2. Other provisions of section 324.001, RSMo, to the contrary notwithstanding, the board shall publish a list of the names and addresses of all persons who hold licenses under the provisions of sections 340.200 to 340.330, and shall publish a list of all persons whose licenses have been suspended, revoked, surrendered, restricted, denied, withheld, or otherwise disciplined, whether voluntarily or not. The board shall mail a copy of such list to any person, agency or professional association upon request and payment of a fee necessary for photocopying and postage as established by board rule. The board may forward such lists at no charge and upon its own motion for the purpose of voluntary interstate exchange of information or to other administrative or law enforcement agencies acting within the scope of their statutory authority, whether the same be interstate or intrastate.

3. Other provisions of section 324.001, RSMo, to the contrary notwithstanding, the board shall prepare and make available to the public a report upon the final disciplinary actions taken by the board or denial of licensure. Such report shall set forth findings of fact, grounds for such denial or discipline, names of board members who were present, and any resulting order or directive of the board; the same to apply whether or not discipline or denial is voluntarily agreed to by the licensee or applicant. Whenever a person possessing a license voluntarily enters chemical or alcohol treatment and monitoring programs for purposes of rehabilitation by informal agreement with the board, the action shall not be reported with any other actions taken or agreed to between the board and the licensee or applicant.

4. Where the board does not recommend disciplinary action, a report stating that no action is recommended shall be prepared and forwarded to the complaining party and the licensee or applicant.

5. Members of the board or employees of the board shall be immune from any suit predicated on the publication of information, reports or lists required by this section.

(L. 1992 H.B. 878 § 7, A.L. 2008 S.B. 788)

**340.214. Veterinary medical board fund created, fees to be transmitted, preemption-fund to lapse into general revenue, when.** 1. All fees payable under the provisions of sections 340.200 to 340.330 shall be paid to and collected by the division of professional registration and transmitted to the department of revenue for deposit in the state treasury to the credit of a fund to be known as the "Veterinary Medical Board Fund", which is hereby created, and shall be subject to the appropriations of the general assembly.

2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, money in the fund shall not be transferred and placed to the credit of the general revenue fund until the amount in the fund at the end of the bien-

nium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations to the board for the preceding fiscal year.

3. The fees prescribed by sections 340.200 to 340.330 shall be exclusive, and notwithstanding any other provision of law, no municipality may require any person licensed under the provisions of sections 340.200 to 340.330 to furnish any bond, pass any examination, or pay any license fee or occupational tax relative to practicing his or her profession.

(L. 1992 H.B. 878 § 8, A.L. 1993 H.B. 127, A.L. 1999 S.B. 424)

**340. 216. Practice without license prohibited, prohibited acts--exceptions.** 1. It is unlawful for any person not licensed as a veterinarian under the provisions of sections 340.200 to 340.330 to practice veterinary medicine or to do any act which requires knowledge of veterinary medicine for valuable consideration, or for any person not so licensed to hold himself or herself out to the public as a practitioner of veterinary medicine by advertisement, the use of any title or abbreviation with the person's name, or otherwise; except that nothing in sections 340.200 to 340.330 shall be construed as prohibiting:

(1) Any person from gratuitously providing emergency treatment, aid or assistance to animals where a licensed veterinarian is not available within a reasonable length of time if the person does not represent himself or herself to be a veterinarian or use any title or degree appertaining to the practice thereof;

(2) Acts of a person who is a student in good standing in a school or college of veterinary medicine or while working as a student preceptor, in performing duties or functions assigned by the student's instructors, or while working under the appropriate level of supervision of a licensed veterinarian as is consistent with the particular delegated animal health care task as established by board rule, and acts performed by a student in a school or college of veterinary medicine recognized by the board and performed as part of the education and training curriculum of the school under the supervision of the faculty. The unsupervised or unauthorized practice of veterinary medicine, even though on the premises of a school or college of veterinary medicine, is prohibited;

(3) Personnel employed by the United States Department of Agriculture or the Missouri department of agriculture from engaging in animal disease, parasite control or eradication programs, or other functions specifically required and authorized to be performed by unlicensed federal or state officials under any lawful act or statute, except that this exemption shall not apply to such persons not actively engaged in performing or fulfilling their official duties and responsibilities;

(4) Any merchant or manufacturer from selling drugs, medicine, appliances or other products used in the prevention or treatment of animal diseases if such drug, medicine, appliance or other product is not marked by the appropriate federal label. Such merchants or manufacturers shall not, either directly or indirectly, attempt to diagnose a symptom or disease in order to advise treatment, use of drugs, medicine, appliances or other products;

(5) The owner of any animal or animals and the owner's full-time employees from caring for and treating any animals belonging to such owner, with or without the advice and consultation of a licensed veterinarian, provided that the ownership of the animal or animals is not transferred, or employment changed, to avoid the provisions of sections 340.200 to 340.330; however, only a licensed veterinarian may immunize or treat an animal for diseases which are communicable to humans and which are of public health significance, except as otherwise provided for by board rule;

(6) Any graduate of any accredited school of veterinary medicine while engaged in a veterinary candidacy program or foreign graduate from a nonaccredited school or college of veterinary medicine while engaged in a veterinary candidacy program or clinical evaluation program, and while under the appropriate level of supervision of a licensed veterinarian performing acts which are consistent with the particular delegated animal health care task;

(7) State agencies, accredited schools, institutions, foundations, business corporations or associations, physicians licensed to practice medicine and surgery in all its branches, graduate doctors of veterinary medicine, or persons under the direct supervision thereof from conducting experiments and scientific research on animals in the development of pharmaceuticals, biologicals, serums, or methods of treatment, or techniques for the diagno-

sis or treatment of human ailments, or when engaged in the study and development of methods and techniques directly or indirectly applicable to the problems of the practice of veterinary medicine;

(8) Any veterinary technician, duly registered by, and in good standing with, the board from administering medication, appliances or other products for the treatment of animals while under the appropriate level of supervision as is consistent with the delegated animal health care task; and

(9) A consulting veterinarian while working in a consulting capacity in Missouri while under the immediate supervision of a veterinarian licensed and in good standing under sections 340.200 to 340.330.

2. Nothing in sections 340.200 to 340.330 shall be construed as limiting the board's authority to provide other exemptions or exceptions to the requirements of licensing as the board may find necessary or appropriate under its rulemaking authority.

(L. 1992 H.B. 878 § 9, A.L. 1999 S.B. 424)

### **340.217. Practice of veterinary medicine across state lines defined--license not required,**

**when.** 1. No person registered as a veterinarian in Missouri shall engage in the practice of veterinary medicine, as authorized in this chapter, across state lines, except as herein provided.

2. For purposes of this chapter, the "practice of veterinary medicine across state lines" means:

(1) The rendering of a written or otherwise documented veterinary medical opinion concerning the diagnosis or treatment of a patient within this state by a veterinarian located outside this state as a result of transmission of individual patient data by electronic, telephonic, or other means from within this state or any other state to such veterinarian or veterinarian's agent; or

(2) The rendering of treatment to a patient within this state by a veterinarian located outside this state as a result of transmission of individual patient data by electronic, telephonic, or other means from within this state or any other state to such veterinarian or veterinarian's agent.

3. A veterinarian located outside this state shall not be required to obtain a license when:

(1) In consultation with a veterinarian licensed to practice veterinary medicine in this state; and

(2) The veterinarian licensed in this state retains the ultimate authority and responsibility for the diagnosis and/or treatment in the care of the patient located within this state; or

(3) Evaluating a patient or rendering an oral, written, or otherwise documented veterinary medical opinion when providing testimony or records for the purpose of any civil or criminal action before any judicial or administrative proceeding in this state or other forum in this state.

(L. 2004 H.B. 869)

**340.218. Evidence of intent to engage in practice.** The use of any title, words, abbreviations, letters or symbol in a manner or under circumstances which induce the reasonable belief that the person using them is qualified to do any act described in subdivision (24) of section 340.200 is *prima facie* evidence of the intention to represent such person as engaged in the practice of veterinary medicine under sections 340.200 to 340.330.

(L. 1992 H.B. 878 § 10)

**340.220. Transplant of embryo considered veterinary practice, when.** It is considered the practice of veterinary medicine to use any invasive procedure to remove any embryo from an animal for the purpose of transplanting such embryo into another female animal or for the purpose of cryopreserving such embryo, or to implant such embryo into an animal. It is not considered the practice of veterinary medicine for a person or that person's full-time employees to remove an embryo from the person's own animal for the purpose of transplanting or cryopreserving such embryo or to implant an embryo into the person's own animal; however, ownership of the animal shall not be transferred or the employment of any person changed for the purpose of circumventing sections 340.200 to 340.330.

(L. 1992 H.B. 878 § 11, A.L. 1999 S.B. 424)

**340.222. Supervisor responsible and liable, when.** A supervisor, as defined in subdivision (19) of section 340.200, is individually and separately responsible and liable for the performance of the acts delegated to and the omissions of the veterinary technician, veterinary medical candidate, temporary licensee, veterinary medical preceptor, unregistered assistant or any other individual working under his or her supervision. Nothing in this section shall be construed to relieve veterinary technicians, veterinary medical candidates, provisional licensees, temporary licensees, veterinary medical preceptors or unregistered assistants of any responsibility or liability for any of their own acts or omissions.

(L. 1992 H.B. 878 § 12, A.L. 1999 S.B. 424, A.L. 2006 S.B. 756)

**340.224. Board's authority not limited, when.** Nothing in sections 340.200 to 340.330 shall be construed as limiting the board's authority to establish additional physical requirements or minimum standards by rulemaking for any facility listed in sections 340.200 to 340.330 or for any place, unit or setting from which the practice of veterinary medicine is conducted.

(L. 1992 H.B. 878 § 13)

**340.226. Licensed veterinary employees, prohibited when--exceptions --application of section.** 1. A licensed veterinarian may practice veterinary medicine as an employee of a corporation, partnership or other business organization only so long as the articles of incorporation, partnership agreement or business organization documents clearly state that the licensed veterinarian is not subject to the direction of anyone not licensed to practice veterinary medicine in Missouri in making veterinary medical decisions or judgments.

2. The provisions of subsection 1 of this section do not apply to:

- (1) A veterinarian treating his or her employer's animals;
- (2) A veterinarian employed by an agency of the federal or state government or any political subdivision thereof; or
- (3) A veterinarian employed by a licensed research facility.

3. The provisions of subsection 1 of this section do not apply to any partnership, employee or owner if such partnership, employment or ownership is in existence and has been in existence for a period of six months prior to August 28, 1992. Such partnership, employee or owner shall be recognized by the board and continue existing operations if such partnership, employee or owner complies with all other provisions of sections 340.200 to 340.330.

4. The provisions of subsection 1 shall apply when any partnership of record on August 28, 1992, changes because of death, dissolution, removal, admittance of new partners or by any other means or when employment or ownership is changed in any manner.

(L. 1992 H.B. 878 § 14, A.L. 1999 S.B. 424)

**340.228. Application for licensure, contents--false statements, penalty --qualifications for licensure.** 1. Any person desiring a license to practice veterinary medicine in the state of Missouri shall make a written application to the board on forms to be provided by the board. The board shall provide such forms without charge upon the applicant's request.

2. Each application shall contain a statement that is made under oath or affirmation that representations made therein are true, correct and contain no material omissions of fact to the best knowledge and belief of the person making the application and whose signature shall be subscribed thereto. Any person who knowingly submits false information, information intended to mislead the board, or omits a material fact on the application shall be subject to penalties provided for by the laws of this state for giving a false statement under oath or affirmation, in addition to any actions which the board may take pursuant to the provisions of sections 340.200 to 340.330.

3. To qualify for licensure under sections 340.200 to 340.330, the application must show that the applicant:

- (1) Is a person of good moral character;
- (2) Is a graduate of an accredited school of veterinary medicine;
- (3) Has completed a veterinary candidacy program after graduation under the supervision of a veterinarian licensed and in good standing in any state, territory or district of the United States. The supervising veterinarian shall submit an affidavit to the board stating that the applicant has satisfactorily completed the veterinary candidacy program. If the applicant submits satisfactory proof that he or she has completed a student preceptor program recognized and approved by the board before graduation, the board may waive the veterinary candidacy requirement; and
- (4) Has passed an examination or examinations as prescribed by board rule. The examination or examinations shall be designed to test the examinee's knowledge of, and proficiency in, subjects and techniques commonly taught in schools of veterinary medicine, the requirements of sections 340.200 to 340.330, other related statutes and administrative rules and other material as determined by the board. An examinee must demonstrate scientific, practical and legal knowledge sufficient to establish for the board that the examinee is competent to practice veterinary medicine. The examination or examinations will only be given in the English language. Applications for examination shall be in writing, on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications set forth in this section.

4. The board may require such other information and proof of a person's fitness as it deems necessary.

(L. 1992 H.B. 878 § 15, A.L. 1999 S.B. 424)

**340.230. Nonaccredited colleges, educational commission of foreign veterinary graduate's certificate.** Graduates of nonaccredited colleges of veterinary medicine located outside the United States, its territories and Canada shall furnish proof which is satisfactory to the board that the applicant has:

- (1) Earned and currently holds an Educational Commission of Foreign Veterinarian Graduate (ECFVG) certificate provided by the AVMA;
- (2) Completed a veterinary candidacy program; and
- (3) Passed the national certifying examination or examinations with a score at least equal to the passing score required for licensure in Missouri.

(L. 1992 H.B. 878 § 16, A.L. 1994 H.B. 1317 merged with S.B. 587, A.L. 1999 S.B. 424)

**340.232. Registration and examination fees--return of examination fee --procedure upon failure of examination.**

1. The application shall be accompanied by registration and examination fees as established by board rule pursuant to section 340.210. The registration fee shall not be returned if the applicant is admitted to the practice of veterinary medicine but shall be deemed to include payment of the registration fee for the remainder of the licensing period in which the applicant is admitted.
2. The examination fee shall be returned to the applicant if the board determines that the applicant is not qualified to sit for the examination. However, the examination fee shall not be returned if the board denied the application because the applicant provided false information.
3. If an applicant fails an examination, the applicant shall:
  - (1) Pay examination fees for each subsequent application;
  - (2) Wait for some period of time as prescribed by board rule from the date of the failed examination to take the next examination; and
  - (3) Prior to the fourth and final attempt at passage, present to the board a plan for passage and evidence of completion of at least thirty hours of board-approved continuing education since last sitting for the examination or in the calendar year preceding the final application.

(L. 1992 H.B. 878 § 17, A.L. 1999 S.B. 424)

**340.234. Examination--licensure without examination.** 1. If the board determines that the applicant possesses the proper qualifications as set forth in subsection 3 of section 340.228, it shall admit the applicant to the next scheduled examination.

2. Applicants shall submit an application and the registration and examination fees as required by rule of the board.

3. The board shall establish the requirements for a passing score on the examination. In order for a previous examination score to be transferred for a current licensing period, the score must have been received within five years prior to the application. If that passing score was not received within three attempts, the board may require the applicant to appear before the board or submit evidence that the applicant has completed at least thirty hours of board-approved continuing education. The board shall have sole discretion on whether to accept for transfer a score from another state's licensing authority.

4. If all the other requirements of sections 340.200 to 340.330 have been met, the board shall issue licenses to the persons who successfully completed the examination. The executive director shall record the new licenses.

5. If the board determines that the applicant is eligible for licensure without examination through the reciprocity provision of section 340.238, the board may grant the applicant a license without examination.

(L. 1992 H.B. 878 § 18, A.L. 1999 S.B. 424, A.L. 2006 S.B. 756)

**340.236. Failure to qualify for examination, notice, contents, appeal.** 1. If the board determines that an applicant is not qualified to sit for the examination or for licensure under section 340.238, the executive director shall notify the applicant in writing. The notification shall include specific findings of the board as to the applicant's failure to qualify, inform the applicant that he or she may request a hearing before the board on the question of the applicant's qualifications, and inform the applicant of his or her right, pursuant to section 621.120, RSMo, to file a complaint with the administrative hearing commission.

2. No person shall be refused a license to practice veterinary medicine in the state of Missouri because of race, creed, sex, color or national origin.

(L. 1992 H.B. 878 § 19, A.L. 1999 S.B. 424)

**340.238. Licensure by reciprocity, requirements--additional requirements --negotiation of compacts--fee--notification of failure to qualify, filing of complaint.** 1. The board may issue a license to practice veterinary medicine to an applicant, without examination, if the applicant submits proof satisfactory to the board of the following requirements for licensure by reciprocity:

(1) The applicant has been actively engaged in the profession in another state, territory, district or province of the United States or Canada for a period of at least five consecutive years immediately prior to making application in Missouri and provides the board with a complete listing of all locations of all previous places of practice and licensure in chronological order;

(2) A certificate from the proper licensing authority of the other state, territory, district or province of the United States or Canada certifying that the applicant is duly licensed, that the applicant's license has never been suspended, revoked, surrendered, or placed on probation, whether voluntarily or not, and that, insofar as the records of that authority are concerned, the applicant is entitled to its endorsement;

(3) The standards for admission to practice veterinary medicine of the state, territory, district or province of the United States or Canada in which the applicant is currently licensed were equal to or more stringent than the requirements for initial registration in Missouri at the time of the applicant's initial registration.

2. Even if the applicant has submitted proof of the qualifications in subsection 1 of this section, the board may by rule require any applicant under this section to take any examination, oral or written, or practical examination if such examination is required for an applicant seeking licensure by examination pursuant to the provisions of sections 340.200 to 340.330.

3. The board may negotiate reciprocal compacts with licensing boards of other states, territories, districts or

provinces of the United States or Canada for admission to the practice of veterinary medicine.

4. To determine the admission standards of other states, territories, districts or provinces of the United States or Canada, the executive director shall gather information as directed by the board pertaining to such standards. The board may contract with persons to assist the board in obtaining and evaluating such information and material.

5. The board may issue a license upon payment of a fee for licensure by reciprocity, if the applicant meets the requirements of this section and other provisions of sections 340.200 to 340.330.

6. If the board determines that an applicant is not qualified to be licensed under this section, the executive director shall immediately notify the applicant in writing. The notification shall include specific findings of the board as to the applicant's failure to qualify under this section, that the applicant may request a hearing before the board on the question of the applicant's qualifications, that the applicant may otherwise be considered for licensure after examination as provided in section 340.240\* and of the applicant's right pursuant to section 621.120, RSMo, to file a complaint with the administrative hearing commission.

(L. 1992 H.B. 878 § 20, A.L. 1999 S.B. 424)

\*Section 340.240 was repealed by S.B. 424, 1999.

**340.246. Provisional licensure, requirements--term.** A provisional license may be issued to a qualified applicant for licensure pending examination results and completion of the veterinary candidacy program, or who has otherwise applied for licensure by grade transfer, reciprocity, or examination, if the applicant meets all other required qualifications for licensure in sections 340.200 to 340.330; provided that the applicant is working under the supervision of a licensed veterinarian in good standing. Such supervision shall be consistent with the delegated animal health care task. A provisional license shall expire one year after the date of issuance. A provisional license shall not be issued to individuals applying for faculty licensure.

(L. 1992 H.B. 878 § 23, A.L. 1999 S.B. 424, A.L. 2004 H.B. 869)

**340.247. Veterinary faculty license, requirements, limitations --disciplinary actions-- cancellation.** 1. Notwithstanding any other provisions of law to the contrary, the board may issue a veterinary faculty license to any qualified applicant associated with the University of Missouri-Columbia, College of Veterinary Medicine and involved in the instructional program of either undergraduate or graduate veterinary medical students, subject to the following conditions:

(1) The holder of the veterinary faculty license is compensated for the practice aspects of his or her services solely from the state, federal or institutional funds and not from the patient-owner beneficiary of his or her practice efforts;

(2) The applicant furnishes the board with such proof as the board may deem necessary to demonstrate that:

(a) The applicant is a graduate of a reputable school or college of veterinary medicine;

(b) The applicant has or will have a faculty position at one of this state's institutions of higher learning and will be involved in the instructional program of either undergraduate or graduate veterinary medical students, as certified by an authorized administrative official at such institution; and

(c) The applicant understands and agrees that the faculty license is valid only for the practice of veterinary medicine as a faculty member of the institution; and

(3) The applicant takes and passes the state board examination.

2. The license issued pursuant to this section may be revoked or suspended or the licensee may be otherwise disciplined in accordance with the provisions of this chapter.

3. The license issued pursuant to this section shall be canceled by the board upon receipt of information that the holder of the veterinary faculty license has left or has otherwise been discontinued from faculty employment at an institution of higher learning in this state.

(L. 1999 S.B. 424)

**340.248. Out-of-state veterinarian, temporary licensure for specific animal owner--term, renewal--agent for service of process.** 1. If a licensed veterinarian of another state is not under discipline or investigation, the board may issue a temporary license to such veterinarian exclusively to permit the veterinarian to provide veterinary medical services for a specific animal owner in Missouri. The license is limited to the animals of the specific owner identified in the application. The temporary license shall expire one hundred twenty days after it is issued. Upon request of the applicant, the board may renew the temporary license for an additional ninety days.

2. When a licensed veterinarian of another state applies for a temporary license under this section, the applicant shall designate the secretary of state as the applicant's agent for the purpose of service of process in any action or proceeding against the applicant arising out of any transaction or operation connected with, or incidental to, the practice of veterinary medicine pursuant to such temporary license.

3. Only one temporary license may be issued to any person at the same time.

4. The employer identified on the application for a temporary license issued pursuant to this section shall notify the board within ten days if the employment ceases at the place of employment designated on the temporary license.

(L. 1992 H.B. 878 § 24, A.L. 1999 S.B. 424)

**340.250. Temporary or provisional license, board's exclusive authority.** The rights granted by the board to a holder of a temporary or provisional license under sections 340.246 and 340.248 are exclusive. A temporary or provisional license issued under sections 340.246 and 340.248 may be revoked by a majority vote of the board without a hearing. The board's exclusive authority shall be clearly stated on the temporary or provisional license and the application and is a condition for the issuance of a temporary or provisional license.

(L. 1992 H.B. 878 § 25, A.L. 1999 S.B. 424)

**340.252. Display of license, certificate, permit.** A person issued a license, certificate, permit or other authority issued under sections 340.200 to 340.330 shall conspicuously display such license, certificate, permit or other authority in the person's principal place of business or employment or as otherwise provided for by board rule. Such person shall exhibit such license, certificate, permit or other authority upon demand by any member of the board or its authorized agent.

(L. 1992 H.B. 878 § 26, A.L. 1999 S.B. 424)

**340.254. Existing certificate recognized, requirements.** Any person holding a valid license, certificate, permit or other authority regulated under the provisions of sections 340.200 to 340.330 on August 28, 1992, shall be recognized by the board and shall be entitled to retain any existing status so long as the person complies with the provisions of sections 340.200 to 340.330 and board rules promulgated pursuant to sections 340.200 to 340.330.

(L. 1992 H.B. 878 § 27, A.L. 1999 S.B. 424)

**340.255. Inactive license status, procedure.** Any veterinarian licensed under sections 340.200 to 340.330 who is not practicing or involved in any aspect, administrative or otherwise, of veterinary medicine in Missouri, as defined in section 340.200, may request that his or her license be placed on an inactive status. Any veterinarian requesting his or her license to be placed on an inactive status shall file an affirmation with the board stating that he or she will not engage in the practice or be involved in any aspect, administrative or otherwise, of veterinary medicine in Missouri. To renew such inactive license, the person shall submit an application for licensure renewal, pay the renewal fee, and submit approved continuing education hours as required by rule of the board.

(L. 2004 H.B. 869)

**340.256. Retirement, affidavit required--effect.** Any person licensed under sections 340.200 to 340.330 who retires from any profession regulated by sections 340.200 to 340.330 shall file an affidavit stating the date of retirement and any other information required by the board in order to verify such retirement. Any person filing the affidavit as required by this section, does not need to renew his or her license as required by section 340.258. If such person decides to again practice his or her profession, the person must renew his or her license prior to performing any act or practice regulated by sections 340.200 to 340.330.

(L. 1992 H.B. 878 § 28, A.L. 1999 S.B. 424)

**340.258. License expires, when--notice of renewal--application for renewal, continuing education requirements, contents--false statements, penalties--declaration of noncurrency for failure to renew.** 1. Every license issued under the provisions of sections 340.200 to 340.330

shall expire annually or as otherwise established by board rule but may be renewed by the licensee upon application to the board for renewal and payment of renewal fees, subject to the provisions of this section. The board shall not renew any license unless the licensee provides satisfactory evidence that he or she has complied with the board's minimum requirements for continuing education.

2. At least thirty days prior to the expiration date, the executive director shall send a notice of renewal and an application for renewal to each licensee of record. The notice and application shall be mailed to the licensee's last known business address. Neither the failure to mail nor the failure to receive the notice and application shall relieve any licensee of the duty to make application for renewal or to pay the necessary renewal fee. The failure to mail or to receive the notice and application will not exempt the licensee from the penalties provided by sections 340.200 to 340.330 for failure to promptly renew such license.

3. The applicant shall disclose on the application for renewal:

(1) Applicant's full name;

(2) Applicant's business and residence addresses;

(3) Date and number of applicant's license;

(4) Any disciplinary actions taken against the applicant by any state, territory or district of the United States, or federal agency;

(5) Any felony criminal convictions;

(6) Any continuing educational credits; and

(7) Any other information deemed necessary by the board to assess the applicant's fitness for license renewal.

4. The application shall be made under oath or affirmation and subject to penalties provided for making a false statement under oath or affirmation. Such penalties are in addition to and not in lieu of any penalty or other discipline provided for in sections 340.200 to 340.330.

5. If a licensee fails to submit an application and fees within thirty days of expiration of his or her license, the executive director shall notify the licensee that the application and fees have not been received and that the licensee's failure to respond within ten days will result in \* his or her license being declared noncurrent. The notification required by this subsection shall be by certified mail, return receipt requested, to the licensee's last known business and residence addresses. If the application and fees are not received within ten days after the return receipt is received, the licensee's license shall be declared noncurrent. The executive director shall give notice to the licensee by certified mail, return receipt requested, at the licensee's last known business and residence addresses that his or her license has been declared noncurrent and that the licensee shall not practice veterinary medicine until he or she applies for reinstatement and pays the required fees.

(L. 1992 H.B. 878 § 29, A.L. 1999 S.B. 424)

\*Word "of" appears in original rolls.

**340.260. Practice after declaration of noncurrency, penalty.** If any person practices veterinary medicine after his or her license is declared noncurrent pursuant to subsection 5 of section 340.258, he or she is subject to criminal prosecution as provided in sections 340.200 to 340.330. Such criminal prosecution shall be in addition to any penalty or other discipline provided for in sections 340.200 to 340.330.

(L. 1992 H.B. 878 § 30, A.L. 1999 S.B. 424)

**340.262. Renewal of expired license, requirements--waiver of fees, when.** If a person is otherwise eligible to renew his or her license, the person may renew an expired license within two years of the date of expiration. To renew such expired license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee, pay a penalty fee, and submit approved continuing education hours as required by rule of the board. Upon a finding of extenuating circumstances, the board may waive the payment of the penalty fee; however, nothing in this section shall be construed as requiring such waiver. If more than two years have lapsed since the date the license expired, the license may not be renewed. The holder of such expired license must apply under the procedures for a new license pursuant to sections 340.200 to 340.330.

(L. 1992 H.B. 878 § 31, A.L. 1999 S.B. 424, A.L. 2004 H.B. 869)

**340.264. Refusal to issue or renew certificate, grounds--complaint may be filed, grounds-- procedure.** 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to sections 340.200 to 340.330 for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

2. The board may file a complaint with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by sections 340.200 to 340.330 or any person who has failed to renew or has surrendered his or her certificate of registration or authority, permit or license for any one or combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 340.200 to 340.330;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, territory, district of the United States, or the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under sections 340.200 to 340.330 or for any offense for which an essential element is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to sections 340.200 to 340.330 or in obtaining permission to take any examination given or required pursuant to sections 340.200 to 340.330;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by sections 340.200 to 340.330, including, but not limited to:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(b) Willfully and continually overcharging for services or overtreating patients or charging for services which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records, or charging for services which were not consented to by the owner of the patient or the owner's agent;

(c) Willfully or continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

- (d) Attempting, directly or indirectly, by intimidation, coercion or deception to obtain or retain a patient or discourage the owner from seeking a second opinion or consultation;
  - (e) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience, registration or licensure to perform such responsibilities;
  - (f) Misrepresenting that any disease or ailment can be cured by a method, procedure, treatment, medicine or device;
  - (g) Performing or prescribing medical services which have been declared by board rule to be of no medical value;
  - (h) Final disciplinary action by any professional veterinary medical association or society or licensed hospital or clinic or medical staff of such hospital or clinic in this state or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, surrender, or restriction of a license or staff or hospital or clinic privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was related to unprofessional conduct, professional incompetence, malpractice or any other violation of sections 340.200 to 340.330;
  - (i) Dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination or establishment of a veterinarian-client-patient relationship, or for other medically accepted therapeutic or experimental or investigative purposes, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease; or the dispensing, prescribing, administering or distribution of any drug, controlled substance or other treatment by anyone other than a properly licensed veterinarian, unless such person is a properly registered veterinary technician, unregistered assistant, or the patient's owner and then to be limited to administration of drugs or other treatment under the supervision, control or explicit instructions of a licensed veterinarian;
  - (j) Terminating the medical care of a patient without adequate notice to the owner or without making other arrangements for the continued care of the patient;
  - (k) Failing to furnish details of a patient's medical records to another treating veterinarian, hospital, clinic, owner, or owner's agent upon proper request or waiver by the owner or owner's agent, or failing to comply with any other law relating to medical records; except, radiographs prepared by the licensed veterinarian shall remain the property of the veterinarian and shall be returned upon request or as otherwise agreed between the veterinarian and client;
  - (l) Failure of any applicant or licensee to cooperate with the board during any investigation, if such investigation does not concern the applicant or licensee;
  - (m) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;
  - (n) Failure to timely pay license or registration renewal fees as specified in sections 340.200 to 340.330;
  - (o) Violating a probation agreement with the board or any other licensing authority of this state, another state or territory of the United States, or a federal agency;
  - (p) Violating any informal consent agreement for discipline entered into by an applicant or licensee with the board or any other licensing authority of this state, another state or territory of the United States, or a federal agency;
  - (q) Failing to inform the board of any change in business or residential address as required by sections 340.200 to 340.330 or administrative rule;
  - (r) Advertising by an applicant or licensee which is false or misleading, or which violates any rules of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other veterinarian;
- (5) Any conduct or practice which is or might be harmful or dangerous to the health of a patient;
- (6) Incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by sections 340.200 to 340.330. For purposes of this subdivision, "repeated

"negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by members of the profession;

(7) Violation of, or attempting to violate, directly or indirectly, or assisting, or enabling any person to violate, any provisions of sections 340.200 to 340.330, or any lawful rule or regulation adopted pursuant to sections 340.200 to 340.330;

(8) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his certificate of registration or authority, permit, license or diploma from any school;

(9) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of, or applicant for, a license or registration or other right to practice any profession regulated by sections 340.200 to 340.330 or by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to:

(a) Denial of licensure or registration;

(b) Surrender of the license or registration;

(c) Allowing the license or registration to expire or lapse; or

(d) Discontinuing or limiting the practice of veterinary medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, insurance company, court, agency of the state or federal government, or employer;

(10) Being adjudged incapacitated or disabled by a court of competent jurisdiction;

(11) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 340.200 to 340.330 who is not licensed or registered and currently eligible to practice under sections 340.200 to 340.330, or knowingly performing any act which aids, assists, procures, advises, or encourages any person to practice veterinary medicine who is not licensed or registered and currently eligible to practice under sections 340.200 to 340.330;

(12) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(13) Failure to obtain, renew or display a valid certificate, license, permit or notice if required;

(14) Violation of the drug laws or rules and regulations of this state, any other state, territory, or the federal government;

(15) Knowingly or recklessly making or causing to be made, or aiding or abetting in the making of a false statement or documentation in connection with the birth, death, or health of any animal, executed in connection with the practice of his or her profession or failure to file such statements or documents with the proper officials of the federal or state government as provided by law or any rule promulgated under sections 340.200 to 340.330;

(16) Soliciting patronage in person or by agents, under his or her own name or under the name of another, actual or pretended, in such a manner as to confuse, deceive or mislead the public as to the need or appropriateness of animal health care or services or the qualifications of an individual person or persons to diagnose, render, or perform such animal health care services;

(17) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof;

(18) Maintaining an unsanitary office or facility, or performing professional services under unsanitary conditions with due consideration given to the place where the services are rendered;

(19) Practicing or offering to practice any profession or service regulated by sections 340.200 to 340.330 independent of the supervision and direction of a person licensed under sections 340.200 to 340.330 as a veterinarian in good standing by any candidate for registration or person registered to practice as a veterinary technician or engaged as an unregistered assistant to a veterinarian;

(20) Treating or attempting to treat ailments or health conditions of animals other than as authorized under sections 340.200 to 340.330 or board rule by any candidate for registration or person registered to practice as a

veterinary technician or engaged as an unregistered assistant to a licensed veterinarian;

(21) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by a licensed physician;

(22) Any revocation, suspension, surrender, limitation or restriction of any controlled substance authority, whether agreed to voluntarily or not;

(23) Being unable to practice as a veterinarian or veterinary technician with reasonable skill and safety to patients because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition;

(24) Violation of any professional trust or confidence;

(25) Failing to obtain or renew any facility permit or to maintain mandatory requirements or minimum standards for any such facility as required by sections 340.200 to 340.330 or board rule.

3. If the board files a complaint pursuant to subsection 2 of this section, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. If the administrative hearing commission finds that grounds provided in this section are met, the board may either singly or in combination:

(1) Warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years;

(2) Suspend such license, certificate or permit for a period not to exceed three years;

(3) Restrict or limit the license, certificate or permit for an indefinite period of time;

(4) Revoke such license, certificate or permit;

(5) Administer a public or private reprimand;

(6) Deny the application for a license;

(7) Permanently withhold issuance of a license or certificate;

(8) Require the applicant or licensee to submit to the care, counseling or treatment of physicians designated by the board at the expense of the person to be examined;

(9) Require the person to attend such continuing educational courses and pass such examinations as the board may direct.

(L. 1992 H.B. 878 § 32, A.L. 1999 S.B. 424)

**340.266. Application for reinstatement of license--period.** If the board orders the license to be revoked, the board may provide that the person may not apply for reinstatement of license, certificate or registration, or permit for a period of at least one year and not more than seven years following the date of the revocation. Any stay order will toll the period of revocation.

(L. 1992 H.B. 878 § 33)

**340.268. Continuing education course, examination may be required.** Before restoring to good standing a license, certificate, registration or permit issued under sections 340.200 to 340.330, which has been revoked, suspended, surrendered or is in an inactive state for any cause for more than two years, the board may require the applicant to attend such continuing education courses and pass such examinations as the board may direct.

(L. 1992 H.B. 878 § 34)

**340.270. Records of patients, discoverable.** In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, or in any investigation of a complaint before the board, any record relating to any patient of the licensee or applicant is discoverable by the board and admissible as evidence notwithstanding any privilege to the contrary which such licensee, applicant, or record custodian might otherwise invoke.

(L. 1992 H.B. 878 § 35)

**340.272. Complaint for expedited hearing, when--hearing, decision, when --temporary authority final, when.** 1. If the board, after notice and hearing, concludes that a person has committed an act or is engaging in a course of conduct which would be grounds for disciplinary action under section 340.264 and such act or course of conduct constitutes a clear and present danger to the public health, safety or welfare, the board may file a complaint before the administrative hearing commission requesting an expedited hearing and specifying the activities which give rise to the danger and the nature of the proposed restriction or suspension of the person's license.

2. The administrative hearing commission shall conduct a preliminary hearing within fifteen days after service of a complaint pursuant to subsection 1 of this section, to determine whether the alleged activities appear to constitute a clear and present danger to the public health, safety or welfare which justifies that the person's license be immediately restricted or suspended. The administrative hearing commission shall issue its decision immediately after the hearing and either grant the board the authority to suspend or restrict the license or dismiss the action.

3. If the administrative hearing commission grants the board temporary authority to restrict or suspend the license, the temporary authority shall become final if the person does not request a full hearing within thirty days of the preliminary hearing. If the person requests a full hearing, the administrative hearing commission shall set a date for the hearing pursuant to chapter 621, RSMo.

(L. 1992 H.B. 878 § 36)

**340.274. Automatic revocation of license, when--automatic reinstatement, when --automatic denial of license, when.** 1. A license issued under sections 340.200 to 340.330 shall be automatically revoked following a review of the record of the proceedings by the board and upon a formal motion of the board:

(1) When the final trial proceedings are concluded where a person has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere whether or not a sentence is imposed:

(a) In a felony criminal prosecution under the laws of this state, the laws of any other state, territory or district of the United States, or the United States for any offense reasonably related to the qualifications, functions or duties of the person licensed under sections 340.200 to 340.330;

(b) For any felony offense, for which an essential element is fraud, dishonesty or an act of violence; or

(c) For any felony offense involving moral turpitude;

(2) Upon the final and unconditional revocation or surrender of the person's license to practice the same profession in another state, territory or district of the United States upon grounds for which revocation is authorized in this state.

2. The license of such person shall be automatically reinstated if the conviction, judgment or revocation is set aside upon final appeal in any court of competent jurisdiction.

3. Any person who has been denied a license, certificate, permit or other authority to practice a profession in another state, if such profession in this state is regulated pursuant to sections 340.200 to 340.330, shall automatically be denied a license to practice such profession in this state; however, the board may establish qualifications whereby such person may be qualified and licensed to practice such profession in this state.

(L. 1992 H.B. 878 § 37)

### **340. 276. Injunctions, restraining orders, other orders, when, grounds --commencement of action, where.**

1. Upon application by the board, and the necessary burden having been met, a court of general jurisdiction may grant an injunction, restraining order or other order as may be appropriate to enjoin a person from:

- (1) Offering to engage or engaging in the performance of any acts or practice for which a license, certificate, permit or other authority is required by sections 340.200 to 340.330 upon a showing that such acts or practices were performed or offered to be performed\* without a license, certificate, permit or other authority; or
- (2) Engaging in any practice authorized by a license, certificate, permit or other authority issued pursuant to sections 340.200 to 340.330 upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of the state or client or patient of the licensee.

2. Any such action shall be commenced either in the county in which such conduct occurred or in the county where the defendant resides. Any action brought under this section shall be in addition to and not in lieu of any penalty or other discipline provided for by sections 340.200 to 340.330 and may be brought concurrently with other actions to enforce sections 340.200 to 340.330.

(L. 1992 H.B. 878 § 38)

\*Words "to perform" appear in original rolls rather than "to be performed".'

### **340.278. Relicensing and reinstatement--conditions.** 1. Upon written application to the board showing cause justifying relicensing and reinstatement, any person whose license has been revoked or suspended by the board may be relicensed or reinstated at any time without examination by a majority vote of the full board.

2. Nothing in subsection 1 of this section shall be construed as requiring the board to reinstate a license due to a showing of justification. Such relicensing or reinstatement is within the sole discretion of the board.

3. The board may condition such reinstatement or relicensing as it deems appropriate under the circumstances, including, but not limited to, restricting or limiting the person's practice or placing the person on probation under terms and conditions set by the board.

(L. 1992 H.B. 878 § 39)

### **340.280. Chairman may administer oaths, issue subpoena--enforcement of subpoenas, where.**

1. The chairman or vice chairman of the board may administer oaths, subpoena witnesses, issue subpoenas duces tecum and require production of documents and records pertaining to complaints or investigations. Subpoenas, including subpoenas duces tecum, shall be served by a person so authorized to serve subpoenas of courts of records. In lieu of requiring attendance of a person to produce original documents in response to a subpoena duces tecum, the board may require sworn copies of such documents to be filed with it or delivered to its designated representative.

2. The board may enforce its subpoenas, including a subpoena duces tecum, by applying to a circuit court of Cole County, the county of investigation, hearing or proceeding, or any county where the person resides or may be found, for an order upon any person who shall fail to obey a subpoena to show cause why such subpoena should not be enforced. The order and a copy of the application therefor shall be served upon the person in the same manner as a summons in a civil action. If the circuit court, after a hearing, determines that the subpoena should be sustained and enforced, such court shall proceed to enforce the subpoena in the same manner as though the subpoena had been issued in a civil case in the circuit court.

(L. 1992 H.B. 878 § 40)

### **340.282. Immunity of persons cooperating with the board.** Any person who in good faith and without malice reports, provides information or cooperates in any manner with the board, or assists the board in any manner, including, but not limited to, applicants or licensees, whether or not the applicant or licensee is the subject of an investigation, record custodians, consultants, attorneys, board members, agents, employees, staff or expert witnesses, in the course of any investigation, hearing or other proceeding conducted by or before the

board pursuant to the provisions of sections 340.200 to 340.330 shall not be subject to an action for civil damages and no cause of action shall arise against him as a result thereof.

(L. 1992 H.B. 878 § 41)

**340.284. Medical records to be maintained.** Any person who provides veterinary medical services shall prepare and maintain medical records for any patient. Such records shall meet or exceed the minimum standards as established by board rule.

(L. 1992 H.B. 878 § 42)

**340.285. Statute of limitations for malpractice, negligence, error, or mistake related to veterinary care of animals.** — All actions against veterinarians treating animals and any other entity providing veterinary services for animals, and all employees of any of the foregoing acting in the course and scope of their employment, for damages for malpractice, negligence, error, or mistake related to the veterinary care of animals shall be brought within two years from the date of occurrence of the act of neglect complained of, except that:

(1) In cases in which the act of neglect complained of is introducing and negligently permitting any foreign object to remain within the body of a living animal, the action shall be brought within two years from the date of the discovery of such alleged negligence or from the date on which the owner of an animal in the exercise of ordinary care should have discovered such alleged negligence, whichever date occurs first; and

(2) In cases in which the act of neglect complained of is the negligent failure to inform, the action shall be brought within two years from the date of the discovery of such alleged negligent failure to inform or from the date on which the owner of the animal in the exercise of ordinary care should have discovered such alleged negligent failure to inform, whichever date first occurs; except that, no such action shall be brought for any negligent failure to inform about the results of medical tests performed more than two years before August 28, 2017. For purposes of this subdivision, the act of neglect based on the negligent failure to inform the owner of the animal of the results of medical tests shall not include the act of informing the owner of the animal of erroneous test results.

(L. 2017 S.B. 88)

**340.286. Disclosure of information, when required--immunity--waiver of privilege.** 1. Except as otherwise provided for under section 340.270 or by board rule, no veterinarian licensed under the provisions of sections 340.200 to 340.330 shall be required to disclose any information concerning the veterinarian's care of an animal, except on written authorization or other waiver by the veterinarian's client or on appropriate court order or subpoena or as may be required to ensure compliance with any other federal or state law.

2. Any veterinarian releasing information under written authorization or other waiver by the client or under court order or subpoena shall not be liable to the client or any other person for claims arising as a result of releasing such information.

3. The privilege provided by this section shall be waived to the extent that the owner of the animal places the veterinarian's care and treatment of the animal or the nature and extent of injuries to the animal at issue in any civil or criminal proceeding.

(L. 1992 H.B. 878 § 43)

**340.287. Veterinary emergency care, no civil liability, exceptions (Good Samaritan law).** Any veterinarian duly registered pursuant to sections 340.200 to 340.330 who gratuitously and in good faith gives emergency treatment to a sick or injured animal at the scene of an accident or emergency shall not be liable in any civil action for damages to the owner of such animal. This section is not intended to provide immunity for acts which constitute gross negligence.

(L. 1999 S.B. 424)

**340.288. Animal deemed abandoned, when, disposal of--immunity--abandoned defined, effect--necropsy authorized, when, disposal of corpse --owner's financial obligation.**

1. Any animal placed in the custody of a licensed veterinarian for treatment, boarding or other care, which is unclaimed by its owner or its owner's agent for more than ten days after written notice by certified mail, return receipt requested, is sent to the owner or owner's agent at the person's last known address shall be deemed to be abandoned. Such abandoned animal may be turned over to the nearest humane society or animal shelter, or otherwise disposed of or destroyed by the licensed veterinarian in a humane manner.

2. If notice is sent pursuant to subsection 1 of this section, the licensed veterinarian or any custodian of such abandoned animal is relieved of any further liability for disposal. If a licensed veterinarian follows the procedures of this section, the veterinarian shall not be subject to disciplinary action under sections 340.200 to 340.330 unless such licensed veterinarian fails to provide the proper notification to the owner or owner's agent.

3. For the purposes of this section, the term "abandoned" means to forsake entirely, to neglect or refuse to provide or perform legal obligations for the care and support of an animal, or to refuse to pay for treatment or other services without an assertion of good cause. Such abandonment shall constitute the relinquishment of all rights and claims by the owner to such animal.

4. If an animal should die while in the custody of a licensed veterinarian for the purpose of treatment, boarding or other care, the licensed veterinarian may perform necropsy after reasonable attempts to notify the owner and obtain permission have failed. The licensed veterinarian shall maintain or otherwise store the corpse for a period of at least three days following such death or three days after notification to the owner, whichever is longer, after which time the corpse may be disposed of in any lawful manner.

5. The disposal of an abandoned or deceased animal shall not relieve the owner or owner's agent of any financial obligation incurred for treatment, boarding or other care provided by the veterinarian.

(L. 1992 H.B. 878 § 44, A.L. 1999 S.B. 424)

**340.290. Certain proceedings not abated.** No judicial or administrative proceeding pending prior to August 28, 1992, shall be abated as a result of the repeal of chapter 340 and the enactment of sections 340.200 to 340.330.

(L. 1992 H.B. 878 § 45)

**340.292. Severability.** If any clause, sentence, paragraph, section or part of sections 340.200 to 340.330 or the application thereof to any person or circumstances shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, and the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence or paragraph, section or part thereof involved in the controversy, in which such judgment shall have been rendered and to the person or circumstances involved, except as provided in section 340.210.

(L. 1992 H.B. 878 § 46)

**340.294. Penalty--separate offenses.** Any person who violates any provision of sections 340.200 to 340.330 shall, upon conviction in a court of competent jurisdiction, be adjudged guilty of a class A misdemeanor for each offense. The unlawful practice of veterinary medicine shall be deemed a separate offense for each animal treated by any person engaged in such unlawful practice.

(L. 1992 H.B. 878 § 47)

**340.296. Veterinary technician, board to register.** The Missouri veterinary medical board shall be responsible for registering any person who wishes to practice as a veterinary technician in this state and shall limit, restrict, supervise and define such practice by board rule as the board deems appropriate and necessary for the protection of the public health, safety and general welfare.

(L. 1992 H.B. 878 § 48)

**340.298. Provisions applicable to technicians.** All provisions of sections 340.200 to 340.296 shall be applicable to licensed veterinarians and registered veterinary technicians, except as otherwise specifically provided for in sections 340.298 to 340.330. Whenever the term "veterinarian" or "veterinary practice" is used in sections 340.200 to 340.300, it shall mean veterinary technician or the practice of a veterinary technician.

(L. 1992 H.B. 878 § 49)

**340.300. Veterinary technician, registration of, application, contents --qualifications.** 1.

Any person desiring to be registered as a veterinary technician in the state of Missouri shall submit a written application to the board. Such application shall be on forms furnished by the board without charge.

2. Each application shall contain a statement that is made under oath or affirmation that representations made therein are true, correct and contain no material omissions of fact to the best knowledge and belief of the person making the application and whose signature shall be subscribed thereto. Any person who knowingly submits false information, information intended to mislead the board, or omits a material fact on the application shall be subject to penalties provided for by the laws of this state for giving a false statement under oath or affirmation; such penalty is in addition to and not in lieu of any action which the board takes pursuant to the provisions of sections 340.200 to 340.330.

3. To qualify to be registered as a veterinary technician pursuant to this section, the application must show that the applicant:

(1) Is at\* least eighteen years of age;

(2) Is of good moral character;

(3) Has successfully completed a college level course of study in veterinary technology in a school having a curriculum approved by the board or a college level course in the care and treatment of animals which is accredited by the AVMA; and

(4) Has passed an examination or examinations as prescribed by board rule. The examination or examinations shall be designed to test the examinee's knowledge of, proficiency in, subjects and techniques commonly taught in schools providing a curriculum in veterinary technology, familiarity with the requirements of sections 340.200 to 340.330, related statutes and board rules, and other material as determined by the board. An examinee must demonstrate scientific, practical and legal knowledge sufficient to establish to the board that the applicant is competent to practice as a veterinary technician. Applications for examination shall be in writing, on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications set forth in subdivisions (1), (2) and (3) of this subsection.

4. The board may require additional information and proof of a person's fitness and qualifications by board rule.

(L. 1992 H.B. 878 § 50, A.L. 1999 S.B. 424)

\*Word "at" does not appear in original rolls.

**340.302. Registration fee, technician--examination fee--consequences of failure.** 1. The applicant for registration as a veterinary technician shall submit with the application the registration and examination fees as established by board rule pursuant to section 340.210. The registration fee shall not be returned if the applicant is registered as a veterinary technician but shall be deemed to include payment of the registration fee for the remainder of the registration period in which the applicant is admitted.

2. If the applicant has complied with the requirements of subsection 2 of section 340.312, the examination fee shall be returned to the applicant if the board determines that the applicant is not qualified to sit for the examination. The examination fee shall not be returned if the board denied the application because the applicant provided false information in the application.

3. If an applicant fails an examination, the applicant shall:

(1) Pay examination fees for each subsequent application;

(2) Wait for some period of time as prescribed by board rule from the date of the failed examination to take the next examination; and

(3) Prior to the fourth and final attempt at passage, present to the board, for approval, a plan for passage and evidence of completion of at least ten hours of board-approved continuing education taken since the last examination since last sitting for the examination or in the calendar year preceding the final application.

(L. 1992 H.B. 878 § 51, A.L. 1999 S.B. 424)

**340.304. Technician, admittance to examination--failure to qualify, notice.** 1. If the board determines that the applicant possesses the proper qualifications, it shall admit the applicant to the next scheduled examination.

2. If the board determines that an applicant is not qualified to sit for the examination, the executive director shall notify the applicant in writing. The notification shall include specific findings of the board as to the applicant's failure to qualify, inform the applicant that he or she may request a hearing before the board on the question of the applicant's qualifications and inform the applicant of his or her right, pursuant to section 621.120, RSMo, to file a complaint with the administrative hearing commission.

3. No person shall be refused registration as a veterinary technician in the state of Missouri because of race, creed, sex, color or national origin.

(L. 1992 H.B. 878 § 52, A.L. 1999 S.B. 424)

**340.306. Waiver of examination, when--grade score transfer permitted, when.** 1. The board may issue a certificate of registration to an applicant, without examination, if the applicant submits proof, satisfactory to the board, that the applicant:

(1) Is currently registered in another state, territory, district or province of the United States or Canada having standards for admission substantially the same as the standards in Missouri, and that the standards were in effect at the time the applicant was first admitted to practice in the other state, territory, district or province of the United States or Canada; and

(2) Has been employed and supervised by a licensed veterinarian for a period of at least five consecutive years preceding the applicant's application to practice as a veterinary technician in Missouri.

2. If the applicant has not been licensed in another state, territory, district, or province of the United States or Canada for five consecutive years, the board may determine that the applicant is eligible for licensure by grade score transfer. For a previous examination score to be transferred for a current licensing period, the score must be received within the five-year period immediately preceding the application. If such passing score is not received within three attempts, the board may require the applicant to appear before the board and/or submit evidence that the applicant has completed continuing education.

(L. 1992 H.B. 878 § 53, A.L. 1999 S.B. 424, A.L. 2004 H.B. 869)

**340.308. Examination for technicians--application fee--rules--notification of results.** 1. Applicants shall submit an application and the registration and examination fees at least sixty days prior to taking the examination.

2. The board shall establish by rule the score needed to pass all examinations.

3. The executive director shall notify each examinee within ninety days of the examination the results of the examination. If all the other requirements of registration have been met, the board shall issue certificates of registration to the persons who successfully completed the examination. The executive director shall record the certificates and hold the certificates until the applicant has met the requirements of section 340.310.

(L. 1992 H.B. 878 § 54, A.L. 1999 S.B. 424)

**340.310. Notice to successful examinees.** The board shall send a letter, signed by the board chairperson or vice chairperson, to all successful examinees for registration as a veterinary technician; however, the board shall not send a certificate of registration until the applicant has submitted proof of employment and supervision by a licensed\* veterinarian. Upon receipt of such proof, the executive director shall issue the certificate of registration.

(L. 1992 H.B. 878 § 55)

\*Word "byveterinared" appears in original rolls, an apparent printing error.

**340.312. Technician certification, inactive status, when--notification of termination of employment--continuing education required, when.** 1. If the technician leaves the employment or supervision of the licensed veterinarian and is not employed by or supervised by another licensed veterinarian within thirty days of the termination of his or her employment, the technician's certificate shall be placed on inactive status. It is the responsibility of the technician to inform the executive director within thirty days of termination of his or her employment. It is grounds for revocation of the technician's certificate if he or she fails to notify the executive director of such termination.

2. Any veterinary technician in the state of Missouri whose certificate has been on inactive status will be required to complete the required continuing education credits in accordance with rules of the board, pay all fees and meet all other requirements of sections 340.200 to 340.330 and board rules for registration as a veterinary technician.

(L. 1992 H.B. 878 § 56, A.L. 1999 S.B. 424, A.L. 2004 H.B. 869)

**340.314. Expiration, renewal of technician's certificate, fees--notice of renewal, application.** 1. The certificates issued to veterinary technicians pursuant to sections 340.300 to 340.330 shall expire as established by board rule but may be renewed upon application to the board for renewal and payment of renewal fees.

2. At least sixty days prior to the expiration date, the executive director shall send a notice of renewal and an application for renewal to each certificate holder of record. The notice and application shall be mailed to the certificate holder's last known business or residence address. Failure to mail or to receive the notice and application does not relieve any certificate holder of the duty to apply for renewal or to pay the necessary renewal fee, nor will it exempt the certificate holder from the penalties provided by sections 340.200 to 340.330 for failure to promptly renew the certificate.

(L. 1992 H.B. 878 § 57)

**340.316. Application, contents--false statements, penalty.** 1. The application shall include the disclosure of:

- (1) Applicant's full name;
- (2) Place of employment;
- (3) Supervisor's name, license number and signature;
- (4) Business and residence addresses;
- (5) Date and number of applicant's certificate;
- (6) Any disciplinary actions taken against the applicant by any state, territory or district of the United States or federal agency;
- (7) Felony criminal convictions;
- (8) Continuing educational credits; and

(9) Other information deemed necessary by the board to assess the applicant's fitness for certificate renewal.

2. The application shall be made under oath or affirmation by the applicant. The applicant is subject to penalties provided for under the laws of this state for making a false statement under an oath or affirmation, which shall be in addition to and not in lieu of any penalty or other discipline provided for by sections 340.200 to 340.330.

(L. 1992 H.B. 878 § 58)

**340.318. Declaration of noncurrency for failure to renew certificate, notice.** If a certificate holder fails to submit an application and fees within thirty days of expiration of the certificate, the executive director shall notify the certificate holder that the application and fees have not been received and that the certificate holder's failure to respond within ten days will result in his or her certificate being declared noncurrent. The notification shall be sent by certified mail, return receipt requested, to the certificate holder's last known business and residence addresses. If the application and fee is not received within ten days after the return receipt is received, the certificate shall be declared noncurrent and the executive director shall notify the certificate holder of such declaration by certified mail, return receipt requested, at the certificate holder's last known business and residence addresses that his or her certification has been declared noncurrent and that the certificate holder shall not practice as a veterinary technician until he or she applies for reinstatement and pays the required fees.

(L. 1992 H.B. 878 § 59, A.L. 1999 S.B. 424)

**340.320. Practice as technician after revocation, penalty--application for renewal.** 1. Any person who practices as a veterinary technician after his or her certificate has been revoked pursuant to section 340.318 is in violation of sections 340.200 to 340.330 and subject to criminal prosecution as provided for under sections 340.200 to 340.330. Such criminal penalty shall be in addition to and not in lieu of any penalty or other discipline provided for under sections 340.200 to 340.330.

2. If a person is otherwise eligible to renew his or her certificate, such person may renew an expired certificate within two years of the date of expiration by submitting an application for renewal, payment of the renewal fee, payment of delinquent renewal fees and payment of a penalty fee as established by the board. A certificate may not be renewed if two years have lapsed since the date the certificate expired. Such holder of an expired certificate must make application for a new certificate.

(L. 1992 H.B. 878 § 60, A.L. 1999 S.B. 424, A.L. 2004 H.B. 869)

**340.322. Renewal, inactive status.** If the veterinary technician is not employed and supervised by a licensed veterinarian at the time for renewal, the certificate will be placed on inactive status until the technician finds proper employment. If the technician submits satisfactory proof that he or she has obtained employment under the supervision of a licensed veterinarian, the board shall issue a new certificate to the technician if the technician meets all other requirements and qualifications for renewal.

(L. 1992 H.B. 878 § 61, A.L. 1999 S.B. 424)

**340.324. Continuing education, requirement.** The board shall not renew any certificate unless the holder provides satisfactory evidence that he or she has complied with the board's minimum requirements for continuing education.

(L. 1992 H.B. 878 § 62, A.L. 1999 S.B. 424)

**340.326. Supervision of veterinarian required--level of supervision.** Any person registered as a veterinary technician and while practicing as a veterinary technician in this state must at all times be under the supervision of a licensed veterinarian or a veterinarian exempt from licensing under sections 340.200 to 340.330. The level of supervision shall be consistent with the delegated animal health care task. The board shall by rule establish, in general or specific terms as it deems necessary, the animal health care tasks that

veterinary technicians may provide and the level of supervision that is required by the licensed veterinarian for any delegated health care task.

(L. 1992 H.B. 878 § 63)

**340.328. Emergency treatment authorized--immunity.** Any veterinary technician duly registered pursuant to sections 340.200 to 340.330 who gratuitously and in good faith gives emergency treatment to a sick or injured animal at the scene of an accident or emergency shall not be in violation of sections 340.200 to 340.330 and shall not be liable in any civil action for damages to the owner of such animal. This section is not intended to provide immunity for acts which constitute gross negligence.

(L. 1992 H.B. 878 § 64)

**340.330. Disciplinary action against technician authorized, when.** The provisions and causes of actions as set forth under section 340.264 are applicable to veterinary technicians in all respects. The board may, also, take disciplinary action against a veterinary technician if the technician:

- (1) Solicits patients from any licensed veterinarian;
- (2) Solicits or receives any form of compensation from any person for services rendered other than from the veterinarian under whom the technician is employed;
- (3) Willfully or negligently divulges a professional confidence or discusses a veterinarian's diagnosis or treatment without the express permission of the veterinarian; or
- (4) Demonstrates a manifest incapability or incompetence to perform as a veterinary technician.

(L. 1992 H.B. 878 § 65)

**340.335. Loan repayment program for veterinary graduates--fund created.** 1. Sections 340.335 to 340.350 establish a loan repayment program for graduates of approved veterinary medical schools who practice in areas of defined need and shall be known as the "Large Animal Veterinary Medicine Loan Repayment Program".

2. The "Large Animal Veterinary Medicine Loan Repayment Program Fund" is hereby created in the state treasury. All funds recovered from an individual pursuant to section 340.347 and all funds generated by loan repayments and penalties received pursuant to section 340.347 shall be credited to the fund. The moneys in the fund shall be used by the department of agriculture to provide loan repayments pursuant to section 340.343 in accordance with sections 340.335 to 340.350.

(L. 2001 S.B. 462, A.L. 2007 S.B. 320)

**340.337. Definitions.** As used in sections 340.335 to 340.405\*, the following terms shall mean:

- (1) "Areas of defined need", areas designated by the department pursuant to section 340.339, when services of a large animal veterinarian are needed to improve the veterinarian-patient ratio in the area, or to contribute professional veterinary services to an area of economic impact;
- (2) "College", the college of veterinary medicine at the University of Missouri-Columbia;
- (3) "Department", the Missouri department of agriculture;
- (4) "Director", director of the Missouri department of agriculture;
- (5) "Eligible student", a resident who has been accepted as, or is, a full-time student at the University of Missouri-Columbia enrolled in the doctor of veterinary medicine degree program at the college of veterinary medicine;
- (6) "Large animal", an animal which is raised, bred, or maintained for its parts or products having a commercial value including, but not limited to, its muscle tissue, organs, fat, blood, manure, bones, milk, wool, hide, pelt,

feathers, eggs, semen, or embryos;

(7) "Large animal veterinarian", veterinarians licensed pursuant to this chapter, engaged in general or large animal practice as their primary focus of practice, and who have a substantial portion of their practice devoted to large animal veterinary medicine;

(8) "Qualified applicant", an eligible student approved by the department for participation in the large animal veterinary student loan program established by sections 340.381 to 340.396;

(9) "Qualified employment", employment as a large animal veterinarian and where a substantial portion of business involves the treatment of large animals on a full-time basis in Missouri located in an area of need as determined by the department of agriculture. Qualified employment shall not include employment with a large-scale agribusiness enterprise, corporation, or entity. Any forgiveness of such principal and interest for any qualified applicant engaged in qualified employment on a less than full-time basis may be prorated to reflect the amounts provided in this section;

(10) "Resident", any person who has lived in this state for one or more years for any purpose other than the attending of an educational institution located within this state. (L. 2001 S.B. 462, A.L. 2007 S.B. 320, A.L. 2008 S.B. 931)

\*Section 340.405 was repealed by S.B. 931, 2008.

**340.339. Certain areas designated as areas of defined need by department by rule.** The department shall designate counties, communities or sections of rural areas as areas of defined need as determined by the department by rule.

(L. 2001 S.B. 462, A.L. 2007 S.B. 320)

**340.341. Eligibility standards for loan repayment program--rulemaking authority.** 1. The department shall adopt and promulgate rules establishing standards for determining eligible students for loan repayment pursuant to sections 340.335 to 340.350. Such standards shall include, but are not limited to the following:

(1) Citizenship or lawful permanent residency in the United States;

(2) Residence in the state of Missouri;

(3) Enrollment as a full-time veterinary medical student in the final year of a course of study offered by an approved educational institution in Missouri;

(4) Application for loan repayment.

2. The department shall not grant repayment for more than six veterinarians each year.

(L. 2001 S.B. 462, A.L. 2007 S.B. 320, A.L. 2008 S.B. 931)

**340.343. Contract for loan repayment, contents--specific practice sites may be stipulated.** 1. The department shall enter into a contract with each individual qualifying for repayment of educational loans. The written contract between the department and an individual shall contain, but not be limited to, the following:

(1) An agreement that the state agrees to pay on behalf of the individual, loans in accordance with section 340.345 and the individual agrees to serve for a time period equal to four years, or such longer period as the individual may agree to, in an area of defined need, such service period to begin within one year of graduation by the individual with a degree of doctor of veterinary medicine;

(2) A provision that any financial obligations arising out of a contract entered into and any obligation of the individual which is conditioned thereon is contingent upon funds being appropriated for loan repayments;

- (3) The area of defined need where the person will practice;
  - (4) A statement of the damages to which the state is entitled for the individual's breach of the contract;
  - (5) Such other statements of the rights and liabilities of the department and of the individual not inconsistent with sections 340.335 to 340.350.
2. The department may stipulate specific practice sites contingent upon department-generated large animal veterinarian need priorities where applicants shall agree to practice for the duration of their participation in the program.

(L. 2001 S.B. 462, A.L. 2007 S.B. 320)

**340.345. Loan repayment to include principal, interest and related expenses--annual limit.**

1. A loan payment provided for an individual pursuant to a written contract under the large animal veterinary medicine loan repayment program shall consist of payment on behalf of the individual of the principal, interest and related expenses on government and commercial loans received by the individual for tuition, fees, books, laboratory and living expenses incurred by the individual.
2. For each year of obligated services that an individual contracts to serve in an area of defined need, the department may pay up to twenty thousand dollars on behalf of the individual for loans described in subsection 1 of this section.
3. The department may enter into an agreement with the holder of the loans for which repayments are made under the large animal veterinary medicine loan repayment program to establish a schedule for the making of such payments if the establishment of such a schedule would result in reducing the costs to the state.
4. Any qualifying communities providing a portion of a loan repayment shall be considered first for placement.

(L. 2001 S.B. 462, A.L. 2007 S.B. 320)

**340.347. Liability for amounts paid by program, when--breach of contract, amount owed to state.**

1. An individual who has entered into a written contract with the department or an individual who is enrolled at the college and fails to maintain an acceptable level of academic standing or voluntarily terminates such enrollment or is dismissed before completion of such course of study or fails to become licensed pursuant to this chapter within one year after graduation shall be liable to the state for the amount which has been paid on such individual's behalf pursuant to the contract.
2. If an individual breaches the written contract of the individual by failing either to begin such individual's service obligation or to complete such service obligation, the state shall be entitled to recover from the individual an amount equal to the sum of:
- (1) The total of the amounts paid by the state on behalf of the individual, including interest; and
  - (2) An amount equal to the unserved obligation penalty, which is the total number of months of obligated service which were not completed by an individual, multiplied by five hundred dollars.
3. The department may act on behalf of a qualified community to recover from an individual described in subsections 1 and 2 of this section the portion of a loan repayment paid by such community for such individual.

(L. 2001 S.B. 462, A.L. 2007 S.B. 320)

**340.350. Rulemaking authority.** No rule or portion of a rule promulgated pursuant to the authority of sections 340.335 to 340.350 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

(L. 2001 S.B. 462)

**340.375. Department to administer loan program--advisory panel to be appointed, members, duties--rulemaking authority.** 1. The department of agriculture shall implement and administer the large animal veterinary medicine loan repayment program established under sections 340.335 to 340.350, and the large animal veterinary student loan program established under sections 340.381 to 340.396.

2. An advisory panel of not more than five members shall be appointed by the director. The panel shall consist of three licensed large animal veterinarians, the dean of the college or his or her designee, and one public member from the agricultural sector. The panel shall make recommendations to the director on the content of any rules, regulations or guidelines under sections 340.335 to 340.396 prior to their promulgation. The panel may make recommendations to the director regarding fund allocations for loans and loan repayment based on current veterinarian shortage needs.

3. The department of agriculture shall promulgate reasonable rules and regulations for the administration of sections 340.381 to 340.396, including but not limited to rules for disbursements and repayment of loans. It shall prescribe the form, the time and method of filing applications and supervise the proceedings thereof. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rule-making authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

(L. 2007 S.B. 320, A.L. 2008 S.B. 931)

**340.381. Program and fund created, use of moneys.** 1. Sections 340.381 to 340.396 establish a student loan forgiveness program for approved veterinary students who practice in areas of defined need. Such program shall be known as the "Large Animal Veterinary Student Loan Program".

2. There is hereby created in the state treasury the "Veterinary Student Loan Payment Fund", which shall consist of general revenue appropriated to the large animal veterinary student loan program, voluntary contributions to support or match program activities, money collected under section 340.396, and funds received from the federal government. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall be used solely for the administration of sections 340.381 to 340.396. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

(L. 2007 S.B. 320, A.L. 2008 S.B. 931)

Expires 6-30-13

**340.384. Application procedures-amount of award-number of applicants to be awarded.**

1. Eligible students may apply to the department for financial assistance under the provisions of sections 340.381 to 340.396. If, at the time of application for a loan, a student has formally applied for acceptance at the college, receipt of financial assistance is contingent upon acceptance and continued enrollment at the college. A qualified applicant may receive financial assistance up to twenty thousand dollars for each academic year he or she remains a student in good standing at the college, provided that the cumulative total shall not exceed eighty thousand dollars per qualified applicant. An eligible student may apply for financial assistance under this section at any point in his or her educational career at the college, however any such financial assistance shall only be awarded for current or future academic years, as applicable, and shall not be awarded for any academic year completed prior to the time of application.

2. Up to six qualified applicants per academic year may be awarded loans under the provisions of sections 340.381 to 340.396. Priority for loans shall be given to eligible students who have established financial need. All financial assistance shall be made from funds credited to the veterinary student loan payment fund.

(L. 2007 S.B. 320, A.L. 2008 S.B. 931)

Expires 6-30-13

**340.387. Contracts for assistance-repayment-forgiveness of loan, when.** 1. The department of agriculture may enter into a contract with each qualified applicant receiving financial assistance under the provisions of sections 340.381 to 340.396. Such contract shall specify terms and conditions of loan forgiveness through qualified employment as well as terms and conditions for repayment of the principal and interest.

2. The department shall establish schedules for repayment of the principal and interest on any financial assistance made under the provisions of sections 340.381 to 340.396. Interest at a rate set by the department, with the advice of the advisory panel created in section 340.341, shall be charged from the time of the payment of financial assistance on all financial assistance made under the provisions of sections 340.381 to 340.396, but the interest and principal of the total financial assistance granted to a qualified applicant at the time of the successful completion of a doctor of veterinary medicine degree program shall be forgiven through qualified employment.

3. For each year of qualified employment that an individual contracts to serve in an area of defined need, the department shall forgive up to twenty thousand dollars and accrued interest thereon on behalf of the individual for financial assistance provided under sections 340.381 to 340.396.

(L. 2007 S.B. 320, A.L. 2008 S.B. 931)

Expires 6-30-13

**340.390. Failure to meet employment obligations, repayment of loan required-deferral on repayment permitted, when.** 1. A recipient of financial assistance under sections 340.381 to 340.396 who does not meet the qualified employment obligations agreed upon by contract under section 340.387 shall begin repayment of the loan principal and interest in accordance with the contract within six months of the first day on which the recipient did not meet the qualified employment obligations. If a qualified applicant ceases his or her study prior to successful completion of a degree or graduation from the college, interest at the rate specified in section 340.387 shall be charged on the amount of financial assistance received from the state under the provisions of sections 340.381 to 340.396, and repayment, in accordance with the contract, shall begin within ninety days of the date the financial aid recipient ceased to be an eligible student. All funds repaid by recipients of financial assistance to the department shall be deposited in the veterinary student loan payment fund for use pursuant to sections 340.381 to 340.396.

2. The department shall grant a deferral of interest and principal payments to a recipient of financial assistance under sections 340.381 to 340.396 who is pursuing a post-degree training program, is on active duty in any branch of the armed forces of the United States, or upon special conditions established by the department. The deferral shall not exceed four years. The status of each deferral shall be reviewed annually by the department to ensure compliance with the intent of this section.

(L. 2007 S.B. 320, A.L. 2008 S.B. 931)

Expires 6-30-13

**340.393. Action to recover amounts due permitted.** When necessary to protect the interest of the state in any financial assistance transaction under sections 340.381 to 340.396, the department may institute any action to recover any amount due.

(L. 2007 S.B. 320, A.L. 2008 S.B. 931)

Expires 6-30-13

**340.396. Contracts not required, when-expiration date.** 1. Sections 340.381 to 340.396 shall not be construed to require the department to enter into contracts with individuals who qualify for education loans or loan repayment programs when federal, state, and local funds are not available for such purposes.

2. Sections 340.381 to 340.396 shall not be subject to the provisions of sections 23.250 to 23.298, RSMo.

3. Sections 340.381 to 340.396 shall expire on June 30, 2013.

(L. 2007 S.B. 320, A.L. 2008 S.B. 931)

Expires 6-30-13



# **RULES**



**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 2270—Missouri Veterinary Medical Board**  
**Chapter 1—General Rules**

## **20 CSR 2270-1.011 General Organization**

*PURPOSE: This rule specifies the duties of the board and describes its organization.*

- (1) The Missouri Veterinary Medical Board is a unit of the Division of Professional Registration of the Department of Commerce and Insurance.
- (2) The board was established under section 340.202, RSMo, for the purpose of executing and enforcing Chapter 340, RSMo.
- (3) The board consists of the state veterinarian, who serves ex officio, and five (5) appointed members, including a voting public member appointed by the governor for terms of four (4) years each. The board elects from its membership a chairperson and vice chairperson, each of whom serves for one (1) year.
- (4) The board shall have at least one (1) business meeting per year. Three (3) members of the board constitutes a quorum for the transaction of business.

*AUTHORITY: sections 340.208 and 340.210, RSMo 2016.\* This rule originally filed as 4 CSR 270-1.011. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Moved to 20 CSR 2270-1.011, effective Aug. 28, 2006. Amended: Filed July 25, 2018, effective Jan. 30, 2019.*

*\*Original authority: 340.208, RSMo 1992 and 340.210, RSMo 1992, amended 1993, 1995, 1999.*

## **20 CSR 2270-1.021 Fees**

*PURPOSE: This rule establishes the various fees authorized in Chapter 340, RSMo.*

- (1) The following fees are established by the Missouri Veterinary Medical Board:

(A) Veterinarians—

1. Registration Fee.....	\$50.00
2. Reciprocity Fee .....	\$150.00
3. Grade Transfer Fee .....	\$150.00
4. Faculty License Fee .....	\$200.00
5. Temporary or Provisional License Fee .....	\$25.00
A. Temporary or Provisional License Extension .....	\$10.00
6. Annual Renewal Fee—	
A. Active .....	\$50.00
I. Effective September 1, 2017 to August 31, 2018 .....	\$5.00
B. Inactive .....	\$25.00
I. Effective September 1, 2017 to August 31, 2018 .....	\$5.00
C. Faculty .....	\$50.00
I. Effective September 1, 2017 to August 31, 2018 .....	\$5.00
7. Late Renewal Penalty Fee .....	\$100.00
8. Name Change Fee .....	\$15.00
9. Wall Hanging Replacement Fee .....	\$15.00

(B) Veterinary Technicians—

1. Registration Fee .....	\$50.00
2. Reciprocity Fee .....	\$50.00
3. Grade Transfer Fee .....	\$50.00
4. Provisional Registration Fee .....	\$50.00
5. Annual Renewal Fee—	

A. Active .....	\$20.00
I. Effective September 1, 2017 to August 31, 2018.....	\$5.00
B. Inactive .....	\$10.00
I. Effective September 1, 2017 to August 31, 2018.....	\$5.00
6. Late Renewal Penalty Fee .....	\$50.00
7. Name Change Fee .....	\$15.00
8. Wall Hanging Replacement Fee .....	\$15.00

(C) Facility Permit Fee—

1. Initial Application Fee .....	\$100.00
2. Change of Ownership Fee .....	\$100.00
3. Change of Physical Address Fee .....	\$100.00
4. Annual Renewal Fee .....	\$25.00
5. Change in Function Fee .....	\$25.00
6. Change in Facility Name Fee .....	\$25.00
7. Late Renewal Penalty Fee .....	\$50.00

(D) Certification of Professional Corporations Fee ..... \$25.00

(2) All fees, with the exception of those noted in section 340.232, RSMo, are nonrefundable.

*AUTHORITY: sections 340.210 and 340.232, RSMo 2000.\* This rule originally filed as 4 CSR 270-1.021. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Amended: Filed March 10, 1995, effective Sept. 30, 1995. Amended: Filed Oct. 10, 1995, effective April 30, 1996. Amended: Filed Aug. 31, 1998, effective March 30, 1999. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Amended: Filed April 1, 2003, effective Sept. 30, 2003. Moved to 20 CSR 2270-1.021, effective Aug. 28, 2006. Amended: Filed Oct. 16, 2006, effective April 30, 2007. Amended: Filed Aug. 21, 2007, effective Feb. 29, 2008. Emergency amendment filed March 23, 2009, effective April 2, 2009, expired Jan. 12, 2010. Amended: Filed March 23, 2009, effective Sept. 30, 2009. Amended: Filed Jan. 3, 2012, effective June 30, 2012. Amended: Filed Dec. 14, 2016, effective June 30, 2017.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999 and 340.232, RSMo 1992, amended 1999.*

## 20 CSR 2270-1.031 Application Procedures

*PURPOSE: This rule outlines the procedure for application for licensure as a veterinarian or registration as a veterinary technician.*

(1) Application for licensure or registration must be made on the forms provided by the board. Application forms may be obtained by requesting them from the executive director, Missouri Veterinary Medical Board, PO Box 633, Jefferson City, MO 65102.

(2) An application must be legible (printed or typed), signed, notarized, and accompanied by the appropriate fees. The fee must be in the form of a cashier's check, personal check or money order.

(3) The following documents must be on file for an application to be considered complete:

- (A) Completed application;
- (B) Appropriate fee;
- (C) Proof of acceptable educational credentials as evidenced by an official transcript sent directly to the board by the school.

1. If the applicant is a doctor of veterinary medicine seeking provisional licensure, a true and accurate copy of the applicant's diploma or a certified letter from the dean of the accredited school or college of veterinary medicine from which the applicant graduated will be acceptable proof of educational credentials of said applicant for provisional licensure only.

2. If the applicant's official transcript is not in English, the transcript shall, at the applicant's expense, be translated into English, the translation shall be signed by the translator and the signature notarized by a notary public. The applicant shall provide the translated transcript to the board along with a copy of the official transcript. The applicant shall still require his/her official transcript be sent directly to the board by the school; and

(D) Two (2) current, standard passport photos, black and white or color, one and one-half inches by two inches (1.5" x 2.0"), with applicant's signature on the back of each.

(4) All forms must be completed and received by the board by the established deadline.

*AUTHORITY: sections 340.210, 340.228, and 340.300, RSMo 2016.\* This rule originally filed as 4 CSR 270-1.031. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed June 7, 1995, effective Dec. 30, 1995. Amended: Filed April 1, 2003, effective Sept. 30, 2003. Amended: Filed Dec. 1, 2005, effective June 30, 2006. Moved to 20 CSR 2270-1.031, effective Aug. 28, 2006. Amended: Filed July 25, 2018, effective Jan. 30, 2019.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.228, RSMo 1992, amended 1999; and 340.300, RSMo 1992, amended 1999.*

## **20 CSR 2270-1.040 Name and Address Changes**

*PURPOSE: This rule outlines the requirements for notifying the board of name and address changes.*

(1) All individuals licensed as veterinarians or registered as veterinary technicians shall ensure that the license/registration bears the current legal name of that individual.

(2) A licensee/registrant whose name is changed, within sixty (60) days of the effective change, shall—

- (A) Notify the board of the change and provide a copy of the appropriate document indicating the change;
- (B) Pay the name change fee prescribed in 20 CSR 2270-1.021;
- (C) Request from the board a new license/registration bearing the individual's new legal name; and
- (D) Return the current license/registration and the original wall-hanging certificate bearing the former name.

(3) A licensee/registrant may request a replacement wall-hanging certificate by paying the wall-hanging replacement fee.

(4) A licensee/registrant whose address has changed from that printed on the certificate must inform the board of those changes by sending a letter to P.O. Box 633, Jefferson City, MO 65102 within thirty (30) days of the effective date of the change.

*AUTHORITY: section 340.210, RSMo 2000.\* This rule originally filed as 4 CSR 270-1.040. Original rule filed Nov. 4, 1992, effective July 8, 1993. Moved to 20 CSR 2270-1.040, effective Aug. 28, 2006. Amended: Filed June 27, 2008, effective December 30, 2008.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999.*

## **20 CSR 2270-1.050 Renewal Procedures**

*PURPOSE: This rule provides information to veterinarians licensed and veterinary technicians registered in Missouri regarding renewal of their license or certificate of registration.*

(1) Definitions:

- (A) "Inactive veterinarian or inactive veterinary technician" is defined as a currently licensed veterinarian or registered veterinary technician who has signed an affidavit that s/he is not practicing or involved in any aspect, administrative or otherwise, of veterinary medicine in Missouri as defined in section 340.200(28), RSMo;
- (B) "License" shall include certificate of registration and the term "licensee" shall include registrant; and
- (C) "Retired veterinarian or veterinary technician" is defined as a veterinarian or veterinary technician who has signed an affidavit that s/he is not practicing veterinary medicine as defined in section 340.200(28), RSMo.

(2) Renewal of an Active or Inactive License/Certificate of Registration.

(A) In order for a veterinarian to renew an active or inactive license, the licensee shall submit the following to the board office prior to the expiration date of the license:

1. A completed and signed renewal application, which shall certify that the licensee has completed the required number of approved continuing education credits in accordance with 20 CSR 2270-4.042; and

2. The appropriate renewal fee.

(B) In order for a veterinary technician to renew the active or inactive certificate of registration, the licensee shall submit the following to the board office prior to the expiration date of the registration:

1. A completed and signed renewal application, which has been signed by the supervising veterinarian and certifies that the licensee has completed the required number of approved continuing education credits in accordance with 20 CSR 2270-4.050; and

2. The appropriate renewal fee.

(C) If a veterinary technician is not employed under the supervision of a licensed veterinarian, his/her certificate of registration will be placed on an inactive status. An inactive veterinary technician shall sign an affidavit stating that s/he will not practice as a veterinary technician in Missouri and submit that affidavit with the renewal application and the appropriate fee to the board office.

(D) Failure to provide the requested information will result in the renewal application being returned to the licensee.

(E) Failure of a licensee to receive the notice and application to renew his/her license/registration shall not excuse him/her from the requirements of sections 340.258 or 340.314, RSMo to renew that license/certificate of registration.

(F) Failure to renew a license/registration, either active or inactive, within thirty (30) days of the license renewal date shall result in the license/certificate of registration being declared noncurrent as authorized by sections 340.258 and 340.314, RSMo.

(G) Any licensee who fails to renew his/her license/registration or whose license/certificate of registration has been declared noncurrent shall not perform or offer to perform any act for which a license is required.

**(3) Restoration of a Noncurrent License/ Certificate of Registration.**

(A) Any veterinarian whose license has been declared noncurrent under section 340.262, RSMo and who wishes to restore the license shall make application to the board by submitting the following within two (2) years of the license renewal date:

1. An application for renewal of licensure;
2. The current renewal fee and all delinquent renewal fees as set forth in 20 CSR 2270-1.021;
3. The penalty fee as set forth in 20 CSR 2270-1.021; and
4. Certification of completion of the required number of approved continuing education credits in accordance with 20 CSR 2270-4.042.

(B) Any veterinary technician whose registration has been declared noncurrent under section 340.320.2, RSMo and who wishes to restore the certificate of registration shall make application to the board by submitting the following within two (2) years of the registration renewal date:

1. An application for renewal of registration;
2. The current renewal fee and all delinquent renewal fees as set forth in 20 CSR 2270-1.021;
3. The penalty fee as set forth in 20 CSR 2270-1.021;
4. Certification of completion of the required number of approved continuing education credits in accordance with 20 CSR 2270-4.050; and
5. Verification of employment under the supervision of a licensed veterinarian.

**(4) Inactive License/Certificate of Registration.**

(A) A veterinarian or veterinary technician may choose to place his/her license/registration on an inactive status by signing an affidavit stating that s/he will not engage in the practice or be involved in any aspect, administrative or otherwise, of veterinary medicine in Missouri and submitting that affidavit with the renewal application and the appropriate fee to the board office. The license/certificate of registration issued to all these applicants shall be stamped "Inactive."

(B) In order for a veterinarian to activate an inactive license, the licensee shall submit to the board office:

1. The renewal application which shall certify that the licensee has completed the required continuing education credits in accordance with 20 CSR 2270-4.042;
2. The balance of the active renewal fee; and
3. The license stamped "Inactive."

(C) In order for a veterinary technician to activate an inactive registration, the licensee shall submit to the board office:

1. The renewal application which shall certify that the licensee has completed the required continuing education credits in accordance with 20 CSR 2270-4.050;
2. The balance of the active renewal fee;
3. The license stamped "Inactive"; and
4. Verification of current employment under the supervision of a licensed veterinarian.

(D) The board will issue an active license/certificate of registration, which shall be effective until the next regular renewal date. No penalty fee shall apply.

(5) Retired License/Certificate of Registration.

(A) A veterinarian or veterinary technician may place his/her license/registration on a retired status by signing an affidavit stating the date of retirement and submitting that affidavit with the renewal application to the board office. No fee is required and no certificate will be issued. The retired status will prevent the license/registration from being declared noncurrent pursuant to section 340.258.5, RSMo.

(B) If a retired veterinarian decides to again practice veterinary medicine, s/he must submit to the board office a completed renewal application which shall certify that the licensee has completed the required continuing education credits in accordance with 20 CSR 2270-4.042 and the current renewal fee. The board will issue an active license which shall be effective until the next regular renewal date. No penalty fee shall apply. If it has been more than two (2) years since the retirement affidavit was submitted, evidence of ten (10) hours of continuing education for each year of retirement must be submitted with the renewal application. The board reserves the right pursuant to section 340.268, RSMo to direct any such applicant to take an examination(s) to reactivate his/her license.

(C) If a retired veterinary technician decides to again practice veterinary medicine, s/he shall submit to the board office a completed renewal application along with the current renewal fee. The renewal application shall verify current employment under the supervision of a licensed veterinarian and certify completion of the required number of approved continuing education credits in accordance with 20 CSR 2270-4.050. The board will issue an active registration which shall be effective until the next regular renewal date. No penalty fee shall apply. The board reserves the right pursuant to section 340.268, RSMo to direct any such applicant to take an examination(s) to reactivate his/her registration.

(D) Any retired veterinarian or veterinary technician or any veterinarian or veterinary technician with an inactive license is not currently eligible to practice in Missouri and will be subject to disciplinary action under sections 340.264, 340.294 and 340.330, RSMo if s/he practices or offers to practice in Missouri.

*AUTHORITY: sections 340.210 340.258, 340.314, 340.322, 340.324 and 340.326, RSMo 2000 and 340.262, 340.312 and 340.320, RSMo Supp. 2007.\* This rule originally filed as 4 CSR 270-1.050. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Rescinded and readopted: Filed April 13, 2001, effective Oct. 30, 2001. Amended: Filed Dec. 1, 2005, effective June 30, 2006. Moved to 20 CSR 2270-1.050, effective Aug. 28, 2006. Amended: Filed Aug. 11, 2006, effective Jan. 30, 2007 Amended: Filed June 27m 2008, effective Dec. 30, 2008.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.258, RSMo 1992, amended 1999; 340.262, RSMo 1992, amended 1999, 2004; 340.312, RSMo 1992, amended 1999, 2004; 340.314, RSMo 1992; 340.320, RSMo 1992, amended 1999, 2004; 340.322, RSMo 1992, amended 1999; 340.324, RSMo 1992, amended 1999; and 340.326, RSMo 1992.*

## **20 CSR 2270-1.051 Renewal of License or Registration for Military Members**

*PURPOSE: This rule sets forth the procedures for licensees and registrants who are members of any United States or State of Missouri military, pursuant to section 41.950, RSMo, who have served on active military duty, pursuant to section 41.950, RSMo. Specifically, the rule sets forth procedures for the renewal of a license or registration, for completing obligations of the board, and for discipline of a license or registration.*

(1) Any individual holding a current license or registration that is engaged in the performance of active military duty who has their license or registration lapse while performing such military service, may renew or reinstate such license or registration without penalty by—

(A) Filing with the board a Notice of Active Military Duty on a form provided by the board or by written communication accepted by the board that shall be signed and dated by the individual and shall contain the individual's name, address, the type of license or registration, license or registration number, and the date of active duty activation, and shall be accompanied by a copy of the individual's active duty orders or other evidence sufficient for the board to determine the dates of active military duty; and

(B) Filing such Notice of Active Military Duty or accepted written communication with the board no later than sixty (60) days after completion of the active duty military service.

(2) Upon receipt and approval of the Notice of Active Military Duty or accepted written communication, the board

shall reinstate the individual's license or registration with no further requirements.

(3) If a licensee or registrant fails to take any required action or fails to meet any required obligation of the board while the licensee or registrant is on active military duty, the licensee or registrant shall have at least one hundred eighty (180) days after the end of his or her active military duty to take those actions or fulfill those obligations before any administrative action can be taken by the board.

(4) If the board desires to initiate disciplinary action, administrative action, or any other proceeding where the licensee or registrant is a necessary party and the licensee or registrant is on active military duty, the board shall stay such action or proceeding until at least sixty (60) days after the licensee or registrant returns from active duty.

*AUTHORITY: sections 41.950 and 340.210, RSMo 2016.\* Original rule filed Aug. 8, 2016, effective Feb. 28, 2017.*

*\*Original authority: 41.950, RSMo 1991, amended 2007, 2009, 2011 and 340.210, RSMo 1992, amended 1993, 1995, 1999.*

## **20 CSR 2270-1.060 Public Records**

*PURPOSE: This rule establishes standards for compliance with Chapter 610, RSMo as it relates to public records of the Missouri Veterinary Medical Board.*

(1) All public records of the Missouri Veterinary Medical Board shall be open for inspection and copying by the general public at the board's office during normal business hours, holidays excepted, except for those records closed pursuant to section 610.021, RSMo. All public meetings of the Missouri Veterinary Medical Board, not closed pursuant to the provisions of section 610.021, RSMo will be open to the public. All requests for public records will be acted upon by the board as soon as possible but in no event later than the end of the third business day following the date the request is received.

(2) The Missouri Veterinary Medical Board establishes the executive director of the board as the custodian of its records as required by section 610.023, RSMo. The executive director is responsible for maintaining the board's records and for responding to requests for access to public records and may appoint deputy custodians as necessary for the efficient operation of the board.

(3) When a party requests copies of the records, the board may collect the appropriate fee for costs for inspecting and copying the records and may require payment of the fee prior to making the records available (see 20 CSR 2270-1.021).

(4) When the custodian believes that requested access is not allowed under Chapter 610, RSMo, the custodian, within three (3) business days following the date the request is received, shall inform the requesting party that compliance cannot be made, specifying what sections of Chapter 610, RSMo require that the record remain closed. Correspondence or documentation of the denial shall be copied to the board's general counsel. The custodian also shall inform the requesting party that s/he may appeal directly to the board for access to the records requested. The appeal and all pertinent information shall be placed on the agenda for the board's next regularly scheduled meeting. If the board reverses the decision of the custodian, the board shall direct the custodian to advise the requesting party and supply access to the information during regular business hours at the party's convenience.

*AUTHORITY: sections 340.210, RSMo 2000, 610.023 and 610.026, RSMo Supp. 1987.\* This rule was originally filed as 4 CSR 270-1.030. This rule previously filed as 4 CSR 270-1.060. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Nov. 4, 1992, effective July 8, 1993. Moved to 20 CSR 2270-1.060, effective Aug. 28, 2006. Amended: Filed June 27, 2008, effective Dec. 30, 2008.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 610.023, RSMo 1987, amended 1998, 2004; and 610.026, RSMo 1987, amended 1998, 2004.*

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 2270—Missouri Veterinary Medical Board**  
**Chapter 2—Licensure Requirements for Veterinarians**

## **20 CSR 2270-2.011 Educational Requirements**

*PURPOSE: This rule defines the educational requirements for an individual to be licensed as a veterinarian in Missouri.*

- (1) To meet the educational requirements for licensure to practice veterinary medicine in Missouri, an applicant must have received a doctor of veterinary medicine degree or its equivalent from a university or school that is accredited by the American Veterinary Medical Association (AVMA).
- (2) In the alternative, an applicant must have graduated from an AVMA-listed, nonaccredited university or school of veterinary medicine located inside or outside the United States, its territories or Canada. This degree must be accompanied by proof satisfactory to the board that s/he has earned and currently holds an Educational Commission of Foreign Veterinary Graduate (ECFVG) certificate provided by the AVMA or its successor.

*AUTHORITY: sections 340.210, 340.228 and 340.230, RSMo 2000.\* This rule originally filed as 4 CSR 270-2.011. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Moved to 20 CSR 2270-2.011, effective Aug. 28, 2006.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.228, RSMo 1992, amended 1999; and 340.230, RSMo 1992, amended 1994, 1999.*

## **20 CSR 2270-2.021 Internship or Veterinary Candidacy Program**

*PURPOSE: This rule describes the postgraduate internship program required for licensure as a veterinarian.*

- (1) All applicants for licensure by examination shall complete a three hundred twenty (320) hour postgraduate internship or veterinary candidacy program under the supervision of a licensed veterinarian in good standing or demonstrate the practice of veterinary medicine without encumbrance in another state or jurisdiction at least twelve (12) months prior to application for licensure in Missouri. To be in good standing the veterinarian's license(s) must be current and unencumbered. The postgraduate internship or veterinary candidacy program may be completed in any state, territory or district of the United States or Canada. The postgraduate internship or veterinary candidacy program located outside the United States must be approved by the board. The applicant must submit a request for approval in writing and provide the credentials of the supervising veterinarian.
- (2) The supervising veterinarian shall submit an evaluation form stating that the applicant has satisfactorily completed the internship or veterinary candidacy program. The form is available upon request from the executive director, Missouri Veterinary Medical Board, P.O. Box 633, Jefferson City, MO 65102.
- (3) The purpose of the internship or veterinary candidacy program is to provide the applicant with at least three hundred twenty (320) hours of work experience, with a maximum daily accumulation of 12 hours, in veterinary medicine under supervision prior to licensure. This practice shall include, at a minimum, diagnosis, treatment, surgery and practice management.
- (4) An applicant may complete the internship or veterinary candidacy program under a provisional license at any time after graduation. S/he may take the examinations for licensure prior to the internship or veterinary candidacy program.

(5) Completion of a student preceptor program which is recognized and approved by the board prior to graduation may be substituted for the internship or veterinary candidacy program. The board shall have the sole discretion as to whether or not the preceptor program will qualify in lieu of the internship or veterinary candidacy program. This program shall be defined by the curriculum of the veterinary school or university and must include a minimum of three hundred twenty (320) hours of work experience in the following areas: diagnosis, treatment, surgery and practice management. The student preceptor program may not begin before the start of the stu-

dent's third year and must be completed prior to the date of graduation or demonstration that the applicant has practiced in another state or jurisdiction for the preceding twelve (12) months prior to application for licensure in Missouri and that the applicant's license(s) in another state or jurisdiction has never been the subject of any disciplinary action. A student preceptor program located outside the United States must be preapproved by the board. The applicant must submit a request for approval in writing and provide the credentials of the supervising veterinarian.

(6) Any school or university that wishes to submit a student preceptorship program for board approval shall send a photocopy of the description of the program from the veterinary school's curriculum to the board office.

(7) For a student preceptorship to qualify in lieu of an internship or a veterinary candidacy program, an evaluation form must be submitted to the board office. The form is available upon request from the executive director, Missouri Veterinary Medical Board, P.O. Box 633, Jefferson City, MO 65102.

*AUTHORITY: sections 340.200 and 340.246, RSMo Supp. 2007 and section 340.210, RSMo 2000.\* This rule originally filed as 4 CSR 270-2.021. Original rule filed Nov. 4, 1992, effective June 1, 1994. Amended: Filed July 23, 1993, effective March 10, 1994. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Amended: Filed June 28, 2002, effective Dec. 30, 2002. Moved to 20 CSR 2270-2.021, effective Aug. 28, 2006. Amended: Filed May 14, 2007, effective Nov. 30, 2007. Amended: Filed July 9, 2008, effective Jan. 30, 2009.*

*\*Original authority: 340.200, RSMo 1992, amended 1999, 2004; 340.210, RSMo 1992, amended 1993, 1995, 1999; and 340.246, RSMo 1992, amended 1999, 2004.*

## **20 CSR 2270-2.031 Examinations**

*PURPOSE: This rule describes the examination and passing scores required for licensure as a veterinarian.*

(1) All applicants for licensure as veterinarians in Missouri shall take both—

(A) The North American Veterinary Licensing Examination (NAVLE).

1. The deadline for applying to take the NAVLE shall be August 1 and January 3 prior to each test window; and

(B) The Missouri State Board Examination.

1. The board determines if an applicant is eligible to sit for the examination by reviewing the application and documentation required. No applicant will be approved to sit for the examination until their application file is complete.

(2) Applicants shall submit—

(A) The application for licensure and the registration fee to the Missouri Veterinary Medical Board;

(B) The NAVLE application and fee directly to the National Board of Veterinary Medical Examiners (NBVME); and

(C) The fee for the Missouri State Board Examination to the board's designated testing agency.

(3) The passing score on the NAVLE shall be the minimum criterion referenced score as provided by the testing agency. The passing score on the Missouri State Board Examination shall be seventy percent (70%).

(4) The requirements for transfer of the NAVLE scores are described under section 340.234, RSMo.

(5) The NAVLE and the Missouri State Board Examinations will be administered at least once each year.

Veterinary students within six (6) months of graduation may apply to take all of the required exams. However, no license will be issued until an official certified transcript verifying receipt of the degree in veterinary medicine is received by the board office sent by the degree-granting institution. It shall be the student's responsibility to arrange with the school or university for the transmitting of the official transcript to the board office.

(6) All applicants for veterinary licensure in Missouri shall take the Missouri State Board Examination and may be requested to meet with the board. In order to qualify for licensure, a passing score on the Missouri State Board Examination must have been received within two (2) years of issuance of the license.

*AUTHORITY: sections 340.210 and 340.234, RSMo 2016.\* This rule originally filed as 4 CSR 270-2.031. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994.*

*Amended: Filed July 31, 2000, effective Jan. 30, 2001. Moved to 20 CSR 2270-2.031, effective Aug. 28, 2006.*

*Amended: Filed May 14, 2007, effective Nov. 30, 2007. Amended: Filed Nov. 21, 2008, effective May 30, 2009.*

*Amended: Filed Jan. 3, 2012, effective June 30, 2012. Amended: Filed July 25, 2018, effective Jan. 30, 2019.*

\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999 and 340.234, RSMo 1992, amended 1999, 2006.

## **20 CSR 2270-2.041 Reexamination**

*PURPOSE: This rule outlines the requirements and procedures for retaking the licensure examination for veterinarians.*

(1) Any applicant who fails an examination for licensure as a veterinarian may be reexamined by making application to the board office and paying the appropriate nonrefundable examination fee and registration fee and provide two (2) additional photographs. The deadline for applying to retake the North American Veterinary Licensing Examination (NAVLE) shall be August 1 and January 3 prior to each test window and the Missouri State Board Examination shall be thirty (30) days prior to retaking the examination.

(2) Applicants shall submit—

- (A) The application for licensure and the registration fee to the Missouri Veterinary Medical Board;
- (B) The NAVLE application and fee directly to the National Board of Veterinary Medical Examiners (NBVME); and
- (C) The fee for the Missouri State Board Examination to the board's designated testing agency.

(3) Effective August 28, 1999, no person may take any examination more than four (4) times either in or out of Missouri to qualify for licensure in Missouri. Prior to making application for the fourth attempt at passage of the examination, the applicant shall schedule an appearance with the board to outline a continuing education program which shall be board-approved and completed prior to filing an application for the subsequent examination.

*AUTHORITY: sections 340.210 and 340.232, RSMo 2016.\* This rule originally filed as 4 CSR 270-2.041. Original rule file Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Amended: Filed July 31, 2000, effective Jan. 30, 2001. Moved to 20 CSR 2270-2.041, effective Aug. 28, 2006. Amended: Filed Nov. 21, 2008, effective May 30, 2009. Amended: Filed Jan. 3, 2012, effective June 30, 2012. Amended: Filed July 25, 2018, effective Jan. 30, 2019.*

\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999 and 340.232, RSMo 1992, amended 1999.

## **20 CSR 2270-2.051 Licensure (Exception)**

*PURPOSE: This rule provides for an exception to the requirements of licensure for university veterinary school or college faculty members who are graduates of non-American Veterinary Medical Association accredited universities and who do not have an Educational Commission of Foreign Veterinary Graduate certificate but are American Veterinary Medical Association board-certified.*

(1) Faculty members at an American Veterinary Medical Association (AVMA)-accredited college or university who are AVMA board-certified but did not graduate from an AVMA-accredited college of veterinary medicine may apply to the board for a veterinary license under the following conditions:

- (A) Achieving a passing score as defined in 20 CSR 2270-2.031 on the North American Veterinary Licensing Examination (NAVLE) and Missouri State Board examinations; and
- (B) Submitting a letter from the AVMA certification board verifying the applicant's certification and stating the specialty in which the applicant is certified and the date it was granted.

(2) A license issued under this rule shall restrict the licensee to practice only within the university setting where s/he is employed as a member of the faculty and only in the specialty area listed on his/her board certificate.

*AUTHORITY: sections 340.210, 340.216 and 340.230 RSMo 2000.\* This rule originally filed as 4 CSR 270-*

*2.051. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 1, 2003, effective Sept. 30, 2003. Moved to 20 CSR 2270-2.051, effective Aug. 28, 2006. Amended: Filed June 27, 2008, effective Dec. 30, 2008.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.216, RSMo 1992, amended 1999; and 340.230, RSMo 1992, amended 1994, 1999.*

## **20 CSR 2270-2.052 Faculty Licensure**

*PURPOSE: This rule establishes a restricted veterinary license for faculty at the University of Missouri College of Veterinary Medicine.*

- (1) The board may issue a veterinary faculty license to any qualified applicant associated with the University of Missouri-Columbia, College of Veterinary Medicine, and involved in the instructional program of either undergraduate or graduate veterinary medical students. In order to qualify for a faculty license, the applicant must—  
(A) Demonstrate ability to communicate in and understand written and spoken English; and  
(B) Have been actively engaged in the practice of veterinary medicine for at least five (5) consecutive years immediately prior to making application in Missouri. This may include academic or institutional practice under a faculty license; or  
(C) Have completed a clinical internship of twelve (12) months or longer; or  
(D) Have completed a residency recognized and approved by the appropriate Americana Board of Veterinary Specialties organization.
- (2) All applicants for this faculty license shall:  
(A) Provide for the board a transcript or diploma demonstrating graduation from a reputable veterinary program;  
(B) Schedule an appearance before the board prior to the issuance of a license; and  
(C) Take and pass the State Board Examination.
- (3) A faculty license will qualify a veterinarian to apply for federal accreditation with the United States Department of Agriculture (USDA) or deputyship with the Missouri Department of Agriculture. However, the accreditation is only valid under the umbrella of the university as to the restriction of the license.
- (4) A license issued under this rule shall restrict the licensee to practice only on behalf of the University of Missouri where s/he is employed as a member of the faculty. This shall include both on-site and ambulatory practice settings.
- (5) A license issued under this rule shall expire upon termination of the licensee's employment by the university. The licensee shall notify the board immediately upon termination of his/her employment.
- (6) The applicant shall submit the registration fee and the faculty license fee.
- (7) All licenses issued under this rule shall have the word "Faculty" on them.
- (8) Faculty licenses shall be renewed annually by submitting the renewal application and fee.
- (9) Unless otherwise specified, all provisions of Chapter 340, RSMo, and its rules, shall apply to individuals applying or licensed under this rule.

*AUTHORITY: sections 340.210 and 340.247, RSMo 2000.\* This rule originally filed as 4 CSR 270-2.052. Original rule filed Oct. 10, 1995, effective April 30, 1996. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Moved to 20 CSR 2270-2.052, effective Aug. 28, 2006. Amended: Filed Oct. 30, 2007, effective April 30, 2008. Amended: Filed Dec. 10, 2015, effective June 30, 2016.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; and 340.247, RSMo 1999.*

## **20 CSR 2270-2.060 Reciprocity**

*PURPOSE: This rule provides information to those desiring licensure by reciprocity.*

(1) To be licensed by reciprocity, section 340.238, RSMo, requires an applicant to have been actively engaged in the practice of the profession in another state, territory, district or province of the United States or Canada for at least five (5) consecutive years immediately prior to making application in Missouri.

(A) For the purposes of reciprocity, the term "actively engaged" shall mean that the applicant has regularly and consistently practiced veterinary medicine. Whether or not the board requires examinations, and what examinations may be required in a particular case, may be determined by the information provided on the application, or the board may request the applicant produce records demonstrating the regular and consistent practice of veterinary medicine.

(B) For the purposes of this rule, the term "immediately prior" shall mean that the five (5) consecutive years ended within the one (1) year before applying for licensure in Missouri.

(2) The standards for admission to practice veterinary medicine of the state, territory, district or province of the United States or Canada in which the applicant is currently licensed were equal to or more stringent than the requirements for initial registration in Missouri at the time of the applicant's initial registration.

(3) The applicant shall—

(A) Complete an application form provided by the board (see 20 CSR 2270-1.031) which shall include a complete listing of all locations of all previous places of practice and licensure in chronological order;

(B) Submit the nonrefundable reciprocity fee and registration fee;

(C) Request the licensing authority in each state in which the applicant has ever been licensed to submit a Verification Request Form (see 20 CSR 2270-1.031) which is available from the board;

(D) Request the national testing service to send evidence that the applicant has taken and received a passing score on both the National Board Examination and Clinical Competency Test or the North American Veterinary Licensing Examination (NAVLE). Effective August 28, 1999, no person may take any examination more than four (4) times either in or out of Missouri to qualify for licensure in Missouri; and

(E) Successfully complete the State Board Examination administered by the board.

(4) Following the review process, the applicant will be informed by letter that licensure by reciprocity has been approved or denied. The denial letter will identify the reason(s) for denial and the appeal process.

*AUTHORITY: sections 340.210, 340.228, 340.232, and 340.238, RSMo 2000, and section 340.234, RSMo Supp. 2012. \* This rule originally filed as 4 CSR 270-2.060. Original rule filed Nov. 4, 1992, effective July 8, 1993.*

*Amended: Filed Oct. 10, 1995, effective April 30, 1996. Amended: Filed July 31, 2000, effective Jan. 30, 2001.*

*Moved to 20 CSR 2270-2.060, effective Aug. 28, 2006. Amended: Filed Oct. 30, 2007, effective April 30, 2008.*

*Amended: Filed June 27, 2008, effective Dec. 30, 2008. Amended: Filed Jan. 10, 2013, effective July 30, 2013.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.228, RSMo 1992, amended 1999; 340.232, RSMo 1992, amended 1999; 340.234, RSMo 1992, amended 1999, 2006; and 340.238, RSMo 1992, amended 1999.*

## **20 CSR 2270-2.070 Provisional Licenses**

*PURPOSE: This rule provides the procedures and requirements for obtaining a provisional license in Missouri.*

(1) A provisional license may be issued pursuant to section 340.246, RSMo to a qualified applicant for licensure pending examination results and completion of the internship or veterinary candidacy program, if the applicant meets the requirements for licensure and provided that the applicant is working under the supervision of a licensed veterinarian in good standing. The applicant must submit the following:

(A) An application for both permanent and provisional licensure provided by the board;

(B) All nonrefundable license fees; and

(C) A statement signed by a licensed veterinarian in good standing that the applicant shall be working under the supervision of that veterinarian. To be in good standing the veterinarian's license(s) must be current and unencumbered. This supervision shall be consistent with the delegated animal health care task.

(2) A provisional license issued based on section (1) shall expire in one (1) year or sooner if the applicant

becomes permanently licensed. A provisional license cannot be renewed.

(3) The provisional license will be sent to the supervisor.

(4) The supervisor identified on the provisional license application is responsible for the provisional licensee and shall notify the board within ten (10) days if the employment ceases at the place of employment designated on the provisional license.

(5) Only one (1) provisional license may be issued to any person at the same time.

(6) Provisional licensees are subject to the requirements of Chapter 340, RSMo and these rules.

*AUTHORITY: sections 340.210, 340.246 and 340.250, RSMo 2000.\* This rule originally filed as 4 CSR 270-2.070. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Moved to 20 CSR 2270-2.070, effective Aug. 28, 2006. Amended: Filed Oct. 30, 2007, effective April 30, 2008.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.246, RSMo 1992, amended 1999; 340.250, RSMo 1992, amended 1999.*

## **20 CSR 2270-2.071 Temporary Licenses**

*PURPOSE: This rule provides the procedures and requirements for obtaining a temporary license in Missouri. This rule also implements Senate Bill 424 of the 90th General Assembly, which made various changes to Chapter 340.*

(1) Pursuant to section 340.248, RSMo, a temporary license may be issued to a licensed veterinarian of another state who is not under discipline or investigation by that state, for the exclusive purpose of providing veterinary medical services for a specific animal owner in Missouri. The applicant shall submit the following:

- (A) An application provided by the board which must clearly identify the name of the specific animal owner; and
- (B) The nonrefundable temporary license fee.

(2) A temporary license issued based on section (1) shall expire in one hundred twenty (120) days. Upon request, it may be renewed one time for an additional ninety (90) days upon approval by the board and payment of the required fee.

(3) Only one (1) temporary license may be issued to any person at the same time.

(4) Temporary licensees are subject to the requirements of Chapter 340, RSMo and these rules.

*AUTHORITY: sections 340.210, 340.248 and 340.250, RSMo 2000.\* This rule originally filed as 4 CSR 270-2.071. Original rule filed April 13, 2001 effective Oct. 30, 2001. Moved to 20 CSR 2270-2.071, effective Aug. 28, 2006.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.248, RSMo 1992, amended 1999; and 340.250, RSMo 1992, amended 1999.*

## **20 CSR 2270-2.072 Temporary Courtesy License**

*(Rescinded June 30, 2022)*

*AUTHORITY: section 324.008.1., RSMo Supp. 2012. Original rule filed Sept. 18, 2012, effective March 30, 2013. Rescinded: Filed Dec. 15, 2021, effective June 30, 2022.*

## **20 CSR 2270-2.080 Military Training to Meet Requirements for Licensure**

*PURPOSE: This rule requires the board to accept evidence of military education, training, or service to be applied toward the requirements for licensure.*

- (1) Any applicant for licensure may, as part of the evidence of meeting the requisite educational and/or training requirements for licensure, submit evidence of military experience as a member of the military.
- (2) The board shall review the evidence submitted and, if appropriate, make additional inquiry of the applicant to determine the scope and duties of the military experience to determine whether the military experience shall be counted towards the qualifications for licensure.
- (3) In its review of the military experience, the board shall evaluate the content and nature of the military experience to determine whether that military experience shall count towards the education, training, or service requirements for licensure. The board shall construe liberally the military experience in determining whether it will count towards the education, training, or service requirements for licensure.
- (4) "Military experience" shall mean education, training, or service completed by an applicant while a member of the United States armed forces or reserves, the national guard of any state, the military reserves of any state, or the naval militia of any state.

*AUTHORITY: sections 324.007 and 340.210, RSMo 2016.\* Original rule filed Aug. 8, 2016, effective Feb. 28, 2017.*

*\*Original authority: 324.007, RSMo 2013 and 340.210, RSMo 1992, amended 1993, 1995, 1999.*

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 2270—Missouri Veterinary Medical Board**  
**Chapter 3—Registration Requirements for Veterinary Technicians**

## **20 CSR 2270-3.011 Registration Requirements**

*PURPOSE: This rule defines the requirements for a veterinary technician registration.*

(1) To meet the educational requirements to be registered as a veterinary technician, an applicant must have successfully completed a—

- (A) College level course of study in veterinary technology in a school having a curriculum approved by the board; or
- (B) Post-high school college level course in the care and treatment of animals which is accredited by the American Veterinary Medical Association (AVMA).

(2) In order to be approved by the board the curriculum described in section (1) shall be substantially equal to the curriculum accredited by the AVMA.

(3) It shall be the student's responsibility to have the school transmit directly to the board, a copy of the curriculum and a statement substantiating the equivalency to the AVMA accreditation standards. The board shall have the sole discretion of whether or not to approve the curriculum.

(4) The board shall notify the applicant by letter concerning the approval of the curriculum. If it is not approved, the letter will identify the reason(s).

*AUTHORITY: sections 340.210, RSMo Supp. 1993 and 340.300, RSMo Supp. 1992.\* This rule originally filed as 4 CSR 270-3.011. Original rule filed Nov. 4, 1992, effective July 8, 1993. Moved to 20 CSR 2270-3.011, effective Aug. 28, 2006.*

*\*Original authority: 340.210, RSMo 1992, amended 1993 and 340.308, RSMo 1992.*

## **20 CSR 2270-3.020 Examinations**

*PURPOSE: This rule describes the examinations required for registration as a veterinary technician.*

(1) All applicants for registration as a veterinary technician in Missouri shall take both—

- (A) The Veterinary Technician National Examination (VTNE).
  - 1. The deadline for applying to take the VTNE shall be fifteen (15) days prior to the date set by the American Association of Veterinary State Boards (AAVSB); and
- (B) The Missouri State Board Examination.
  - 1. The board determines if an applicant is eligible to sit for the examination by reviewing the application and documentation required. No applicant will be approved to sit for the examination until their application file is complete.

(2) Applicants shall submit—

- (A) The application for registration and fee to the Missouri Veterinary Medical Board;
- (B) The VTNE application and fee directly to the American Association of Veterinary State Boards (AAVSB); and
- (C) The fee for the Missouri State Board Examination to the board's designated testing agency.

(3) The passing score on the VTNE shall be the minimum criterion referenced score of four hundred twenty-five (425). The passing score shall be seventy percent (70%) correct on the Missouri State Board Examination for the issuance of a registration in this state.

(4) The VTNE and the Missouri State Board Examination shall be administered at least once each year.

(5) Effective December 31, 2010, an applicant may apply for the examinations during his/her final semester of college, however, to be eligible to sit for the VTNE, the applicant must provide official documentation from the

college verifying to the board that the applicant has graduated. However, no certificate of registration will be issued until an official transcript verifying receipt of the degree is received by the board office sent directly by the degree-granting institution. It shall be the applicant's responsibility to arrange with the school or college for the transmitting of the official transcript to the board office.

(6) Any applicant who fails either of the required examinations for registration as a veterinary technician may retake the failed examination(s) by notifying the board office and paying the appropriate nonrefundable examination fee and registration fee by the applicable deadline dates of the board. Test scores are valid and will be accepted by the board for a period not to exceed five (5) years.

(7) Effective August 28, 1999, no person may take either examination more than four (4) times either in or out of Missouri to qualify for registration in Missouri. Prior to making application for the fourth attempt at passage of an examination, the applicant shall schedule an appearance with the board to outline a continuing education program, which shall be board-approved and completed prior to filing application for the subsequent examination.

*AUTHORITY: sections 340.210, 340.300, 340.302, and 340.308, RSMo 2016.\* This rule originally filed as 4 CSR 270-3.020. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Amended: Filed March 10, 1995, effective Sept. 30, 1995. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Moved to 20 CSR 2270-3.020, effective Aug. 28, 2006. Amended: Filed April 8, 2009, effective Sept. 30, 2009. Amended: Filed Jan. 3, 2012, effective June 30, 2012. Amended: Filed July 25, 2018, effective Jan. 30, 2019.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.300, RSMo 1992, amended 1999; 340.302, RSMo 1992, amended 1999; and 340.308, RSMo 1992, amended 1999.*

## **20 CSR 2270-3.030 Reciprocity**

*PURPOSE: This rule provides information to those desiring registration by reciprocity.*

(1) To be registered by reciprocity, an applicant shall—

- (A) Have been employed as a registered veterinary technician and supervised by a licensed veterinarian for at least five (5) consecutive years preceding his/her application to practice in Missouri; and
- (B) Be currently registered in another state, territory, district, or province of the United States or Canada having standards for admission substantially the same as the standards in Missouri, and that the standards were in effect at the time the applicant was first admitted to practice in the other state, territory, district, or province of the United States or Canada.

(2) The applicant shall—

- (A) Complete an application form provided by the board which shall include a complete employment history;
- (B) Submit the nonrefundable reciprocity fee and registration fee;
- (C) Request the licensing authority in each state in which the applicant has ever been registered to submit a Verification Request Form which is available from the board office; and
- (D) Request the national testing service to send evidence that the applicant has taken the Veterinary Technician National Examination (VTNE) and received a passing score as defined in 20 CSR 2270-3.020. Effective August 28, 1999, no person may take any examination more than four (4) times either in or out of Missouri to qualify for licensure in Missouri.

(3) Following the review process, the applicant will be informed by letter that registration by reciprocity has been approved or denied. The denial letter will identify the reason(s) for denial and the appeal process.

(4) If an applicant does not qualify for registration by reciprocity because the other state's requirements are not substantially equal to Missouri's, s/he may request the board to transfer his/her VTNE score. The applicant shall provide satisfactory proof that the exam was taken within five (5) years of the date of the application and that s/he completed the VTNE with a score at least equal to the passing score required for registration in Missouri.

(5) Grade score transfer applicants will be required to take the Missouri State Board Examination.

*AUTHORITY: sections 340.210, 340.238 ,340.300, and 340.302, RSMo 2000, and sections 340.234 and 340.306, RSMo Supp.2012.\* This rule originally filed as 4 CSR 270-3.030. Original rule filed Nov. 4, 1992, effec-*

tive July 8, 1993. Amended: Filed March 10, 1995, effective Sept. 30, 1995. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Moved to 20 CSR 2270-3.030, effective Aug. 28, 2006. Amended: Filed June 27, 2008, effective Dec. 30, 2008. Amended: Filed Jan. 10, 2013, effective July 30, 2013.

\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.234, RSMo 1992, amended 1999, 2006; 340.238, RSMo 1992, amended 1999; 340.300, RSMo 1992, amended 1999; 340.302, RSMo 1992, amended 1999; and 340.306, RSMo 1992, amended 1999, 2004.

## **20 CSR 2270-3.040 Temporary Registration for Veterinary Technicians**

*PURPOSE: This rule describes the requirements and procedures for getting a temporary registration for veterinary technicians.*

(1) A temporary registration may be issued to a qualified applicant for registration pending examination results if the applicant meets the requirements for registration and provided that the applicant is working under the supervision of a licensed veterinarian in good standing. The applicant shall submit the following:

- (A) An application provided by the board;
- (B) The nonrefundable temporary registration fee; and
- (C) A statement signed by a licensed veterinarian in good standing that the applicant shall be working under the supervision of that veterinarian. To be in good standing the veterinarian's license(s) must be current and unencumbered. This supervision shall be consistent with the delegated animal health care task.

(2) The supervisor identified on the temporary registration application is responsible for the temporary registrant and shall notify the board within ten (10) days if the employment ceases at the place of employment on the temporary certificate of registration.

(3) A temporary registration shall expire in one (1) year or sooner if the applicant becomes permanently registered. A temporary registration cannot be renewed.

(4) Temporary registrants are subject to the requirements of Chapter 340, RSMo and these rules.

*AUTHORITY: sections 340.210, 340.246 and 340.298, RSMo 2000.\* This rule originally filed as 4 CSR 270-3.040. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Moved to 20 CSR 2270-3.040, effective Aug. 28, 2006.*

\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.246, RSMo 1992, amended 1999; and 340.298, RSMo 1992.

## **20 CSR 2270-3.045 Military Training to Meet Requirements for Registration**

*PURPOSE: This rule requires the board to accept evidence of military education, training, or service to be applied toward the requirements for registration.*

(1) Any applicant for registration may, as part of the evidence of meeting the requisite educational and/or training requirements for registration, submit evidence of military experience as a member of the military.

(2) The board shall review the evidence submitted and, if appropriate, make additional inquiry of the applicant to determine the scope and duties of the military experience to determine whether the military experience shall be counted towards the qualifications for registration.

(3) In its review of the military experience, the board shall evaluate the content and nature of the military experience to determine whether that military experience shall count towards the education, training, or service requirements for registration. The board shall construe liberally the military experience in determining whether it will count towards the education, training, or service requirements for registration.

(4) "Military experience" shall mean education, training, or service completed by an applicant while a member of the United States armed forces or reserves, the national guard of any state, the military reserves of any state, or the naval militia of any state.

*AUTHORITY: sections 324.007 and 340.210, RSMo 2016.\* Original rule filed Aug. 8, 2016, effective Feb. 28, 2017.*

*\*Original authority: 324.007, RSMo 2013 and 340.210, RSMo 1992, amended 1993, 1995, 1999.*

## **20 CSR 2270-3.050 Animal Health Care Tasks**

**PURPOSE:** This rule describes the delegated animal health care tasks that veterinary technicians may perform and the level of supervision required for each.

(1) Unless specifically so provided by regulation, a registered veterinary technician shall not perform the following functions or any other activity which represents the practice of veterinary medicine or requires the knowledge, skill and training of a licensed veterinarian:

- (A) Surgery;
- (B) Diagnosis and prognosis of animal diseases; and
- (C) Prescription of drugs, medicines or appliances.

(2) A registered veterinary technician in a veterinary or animal hospital or clinic setting may perform the following procedures under the direct supervision of a licensed veterinarian when done so pursuant to the order, control and full professional responsibility of the licensed veterinarian:

- (A) Application of casts and splints; and
- (B) Placement of indwelling intravenous catheters.

(3) Subject to the provisions of section (1), registered veterinary technicians in a veterinary or animal hospital or clinic setting may perform under the direct or indirect supervision of a licensed veterinarian other auxiliary animal health care tasks when done pursuant to the order, control and full professional responsibility of a licensed veterinarian.

*AUTHORITY: sections 340.210 and 340.296, RSMo Supp. 1993.\* This rule originally filed as 4 CSR 270-3.050. Original rule filed Nov. 4, 1992, effective July 8, 1993. Moved to 20 CSR 2270-3.050, effective Aug. 28, 2006.*

*\*Original authority: 340.210, RSMo 1992, amended 1993 and 340.296, RSMo 1992.*

## Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

### Division 2270—Missouri Veterinary Medical Board

#### Chapter 4—Minimum Standards

### 20 CSR 2270-4.011 Minimum Standards for Veterinary Facilities

*PURPOSE: This rule defines the minimum standards for veterinary hospitals and clinics, central hospitals, satellite out-patient or mobile small animal clinics, and large animal mobile clinics.*

(1) All permitted facilities where veterinary medicine is being practiced, and all instruments, apparatus, and apparel used in connection with the practice of veterinary medicine, shall be kept clean and sanitary at all times and conform to the minimum standards specified for different types of facilities. The ownership of the veterinary practice shall conform in all ways to the requirements of section 340.226, RSMo. Additionally, all permitted facilities shall have:

- (A) An adequate library of textbooks or current journals;
- (B) Proper storage and environmental control for all medicines and biologics based on the manufacturer's recommendations;
- (C) Appropriate current licenses and permits conspicuously displayed; and
- (D) Properly maintained records.

(2) Veterinary Hospitals or Clinics.

(A) Exterior.

- 1. Legible sign.
- 2. Facility clean and in good repair.
- 3. Grounds clean and well maintained.

(B) Interior.

- 1. Indoor lighting for halls, wards, reception areas, examining, and surgical rooms shall be adequate for the intended purpose, and all surgical rooms be provided with emergency lighting.
- 2. Hot and cold running water.
- 3. A reception area and office, or a combination of the two (2).
- 4. An examination room separate from other areas of the facility and of sufficient size to accommodate the doctor, assistant, patient, and client.
- 5. A designated surgery room(s) not accessible to the general public.
- 6. Facility permit conspicuously displayed.
- 7. Veterinary license and veterinary technician registration conspicuously displayed.

(C) Housing. In those veterinary hospitals and clinics where animals are retained for treatment or hospitalization, the following shall be provided:

- 1. Separate compartments of adequate size, one for each animal, maintained in a sanitary manner;
- 2. Facilities allowing for the effective separation of contagious and noncontagious cases;
- 3. Exercise areas which provide and allow effective separation of animals and their waste products. Where animals are kept in clinics for twenty-four (24) hours or more, walking the animal meets this requirement. The exercise areas are to be kept clean; and
- 4. An animal identification system.

(D) Practice Management.

- 1. Veterinary facilities shall maintain a sanitary environment to avoid sources and transmission of infection. This is to include the proper routine disposal of waste materials and proper sterilization or sanitation of all equipment used in diagnosis or treatment.
- 2. Fire precautions shall meet the requirements of local and state fire prevention codes.
- 3. The temperature and ventilation of the facility shall be maintained so as to assure the reasonable comfort of all patients.
- 4. The veterinary facility must have the capacity to render adequate diagnostic radiological services, either in the hospital or clinic or through other commercial facilities. If radiological services are provided through other commercial facilities, a written agreement to provide these services must exist. Radiological procedures shall be in accordance with federal and state public health standards.
- 5. Laboratory and pharmaceutical facilities must be available either in the hospital or clinic or through commercial facilities.

6. Sanitary methods for the disposal of deceased animals shall be provided and maintained. Where neither the owner nor the owner's agent of a deceased animal has given the veterinarian authorization to dispose of his/her animal, the veterinarian shall comply with section 340.288, RSMo.

(E) Equipment Requirements.

1. Sterilization of all appropriate equipment is required.
2. A library of textbooks or current journals shall be available on the premises for ready reference.
3. Anesthetic equipment appropriate for the level of surgery performed will be available at all times.
4. Oxygen equipment will be available at all times.
5. Surgeons and assistants shall wear clean attire and sterile gloves for any clean and sterile procedures.
6. Surgical packs shall be used and properly sterilized for all accepted sterile surgical procedures. Surgical packs include drapes, gloves, sponges and proper instrumentation.
7. Examination and treatment rooms shall be equipped with waste receptacles, disposable towels, and examination tables with impervious surfaces.
8. Proper storage and environmental control will be available for all medicines and biologics based on the manufacturer's recommendations.
9. All waste receptacles, other than those in areas where animals will not be housed, treated or examined, will be lined with plastic or made of an impervious material (rubber/plastic) that is easily sanitized.

(3) Central hospital shall meet the same minimum standards as a veterinary hospital or clinic and also provide on premises twenty-four- (24-) hour nursing care, specialty consultation on a permanent or on-call basis, and be capable of rendering the following major medical and surgical services:

- (A) Intensive care unit;
- (B) Laboratory facilities;
- (C) Radiological services;
- (D) Cardiac monitoring; and
- (E) Positive ventilation gas anesthesia.

(4) Satellite or Out-Patient Clinic.

- (A) These clinics shall be owned by or associated with a permitted full-service veterinary hospital or clinic or a central hospital.
- (B) At a minimum, these clinics shall have—
  1. Hot and cold running water;
  2. A one hundred ten (110) volt power source for diagnostic equipment;
  3. A collection tank for disposal of waste material;
  4. Adequate lighting;
  5. Table tops and counter tops, such as formica or stainless steel, which can be cleaned and disinfected;
  6. Floor coverings which can be cleaned and disinfected;
  7. Adequate heating, cooling, and ventilation;
  8. All necessary equipment compatible with the services rendered; and
  9. Separate compartments when it is necessary to hold animals.
- (C) These clinics also shall comply with the sanitary and sterilization provisions of 20 CSR 2270-4.011(2).

(5) Mobile Small Animal Clinic.

- (A) These clinics shall be owned by or associated with a permitted full-service veterinary hospital or clinic or a central hospital.
- (B) These clinics shall be maintained in a clean fashion.
- (C) At a minimum, these clinics shall have—
  1. A method for disposal of waste materials;
  2. A procedure for disposal of deceased animals;
  3. The capability to sterilize or sanitize equipment;
  4. Surgical packs; and
  5. Separate compartments to transport animals.

(6) Large Animal Mobile Clinic.

- (A) These clinics shall be maintained in a clean fashion.
- (B) The vehicle shall contain those items of equipment that are necessary for the veterinarian to perform physical examinations, surgical procedures and medical treatments consistent with the standards of the profession and the type of veterinary services being rendered. Standard items equipping the unit should include, but not

be limited to, the following:

1. If sterile surgery is to be performed, sterile surgical instruments, suturing materials, syringes, and needles should be carried;
2. Protective clothing, rubber or disposable boots and a means to clean them between each visit to each premises as the disease warrants;
3. Current and properly stored pharmaceuticals and biologicals;
4. A means of cold sterilization; and
5. Obstetrical sleeves for rectal palpation which shall be cleaned and sanitized between each premises. If disposable sleeves are used, a new sleeve shall be used at each premises.

(7) **Specialty Facilities.**

(A) An application for a facility permit to practice veterinary medicine appropriately limited to procedures such as training, rehabilitation, and other modalities not requiring facilities otherwise permitted by the board, shall be submitted in writing and include:

1. A description of the procedures to be utilized;
2. The classes of practitioners who will practice in the facility;
3. The design of the facility; and
4. The location of the facility.

(B) Specialty facilities shall comply with the following:

1. All applicable building codes and zoning regulations;
2. The name of the facility shall be prominently displayed on a legible sign;
3. The name of the veterinarian responsible for the facility legibly posted on the sign;
4. The facility maintained in a clean and sanitary manner; and
5. The practice of the facility strictly limited to that approved by the board, except in an emergency. Such emergencies shall be reported to the board in writing within seventy-two (72) hours of the occurrence.

*AUTHORITY: sections 340.210, 340.224, 340.264, and 340.288, RSMo 2016.\* This rule originally filed as 4 CSR 270-4.011. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Amended: Filed Dec. 1, 2005, effective June 30, 2006. Moved to 20 CSR 2270-4.011, effective Aug. 28, 2006. Amended: Filed May 14, 2007, effective Nov. 30, 2007. Amended: Filed July 25, 2018, effective Jan. 30, 2019.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.224, RSMo 1992; 340.264, RSMo 1992, 1999; and 340.288, RSMo 1992, amended 1999.*

## **20 CSR 2270-4.021 Minimum Standards for Emergency Clinics/Services**

*PURPOSE: This rule defines the minimum standards for emergency clinics and services.*

(1) Emergency clinics are facilities which advertise or otherwise purport to provide veterinary medical services on a twenty-four (24)-hour basis or during periods when these services are not normally available through other facilities. Nothing contained in this rule is intended to prohibit any permitted facility from providing services of an emergency nature.

(2) The minimum staffing requirements for an emergency facility shall include a licensed veterinarian on the premises at all times during the posted hours of operation.

(3) Advertisements for emergency facilities shall clearly state—

- (A) A licensed veterinarian is on the premises during the posted emergency hours;
- (B) The hours the facility will provide emergency service; and
- (C) The address and telephone number of the facility.

(4) Medical Records.

(A) When continuing care of the patient is required following emergency clinic service, the animal owner or owner's agent shall be provided with a legible copy of the medical record to be transferred to the next attending veterinarian.

(B) The minimum information included in the medical record shall consist of the following:

1. Physical examination findings;
2. Dosages and time of administration of medications;
3. Copies of diagnostic data or procedures;
4. All radiographs, for which the facility shall obtain a signed release when transferred;
5. Surgical summary;
6. Tentative diagnosis and prognosis; and
7. Follow-up recommendations.

(5) Equipment. In addition to the equipment for veterinary hospitals and clinics, all emergency facilities also shall have the equipment necessary to perform standard emergency medical procedures, including, but not limited to:

- (A) The capacity to render timely and adequate diagnostic radiologic services on premises;
- (B) The capacity to render timely and adequate laboratory services; and
- (C) The ability to provide diagnostic cardiac monitoring.

*AUTHORITY: sections 340.200 and 340.210, RSMo 2016.\* This rule originally filed as 4 CSR 270-4.021. Original rule filed Nov. 4, 1992, effective July 8, 1993. Moved to 20 CSR 2270-4.021, effective Aug. 28, 2006. Amended: Filed July 25, 2018, effective Jan. 30, 2019.*

*\*Original authority: 340.200, RSMo 1992, amended 1999, 2004 and 340.210, RSMo 1992, amended 1993, 1995, 1999.*

## **20 CSR 2270-4.031 Minimum Standards for Practice Techniques**

*PURPOSE: This rule defines the minimum standards for the delivery of various services.*

**(1) Radiological Services.**

- (A) All veterinary facilities must have adequate diagnostic radiological services, unless there exists a written agreement to provide these services through another facility.
- (B) A radiograph is the property of the veterinarian or the veterinary facility which originally ordered it to be prepared. However, the radiograph or a copy of it shall be released within a reasonable time period upon the request of another treating veterinarian who has the authorization of the owner of the animal to which it pertains or directly to the owner or owner's agent. An original radiograph shall be returned to the originating veterinarian within a reasonable time period after written request. Radiographs originating at an emergency hospital or clinic become the property of the next attending veterinary facility upon receipt. Documented proof of transfers of radiographs shall be verifiable.
- (C) Radiographs should be stored and maintained for a minimum of five (5) years from the date the radiograph was taken. All exposed radiographic films shall have a permanent identification, legibly exposed in the film emulsion, which will include the following:
  1. The hospital or clinic name or facility permit number;
  2. The identity of the person taking the radiograph;
  3. Client identification;
  4. Patient identification; and
  5. The date the radiograph was taken.

**(2) Laboratory Services and Equipment.**

- (A) Clinical pathology and histopathology diagnostic laboratory services must be available within the veterinary facility or through outside services.
- (B) Laboratory data is the property of the veterinarian or the veterinary facility which originally ordered it to be prepared and a copy shall be released within a reasonable time period upon the request of another veterinarian who has the authorization of the owner of the animal to which it pertains or directly to the owner or owner's agent.
- (C) A laboratory must be equipped with a microscope.

**(3) Dispensed Drug Labeling.**

- (A) No legend drug or biologic shall be prescribed, dispensed, or administered without the establishment of a veterinarian-client-patient relationship or the direct order of a licensed veterinarian who has an established veterinarian-client-patient relationship with that animal(s).

(B) The veterinarian in charge is responsible for assuring that any legend drugs and biologicals prescribed for use in the veterinary facility are properly administered, for maintaining accurate records to include strength, dosage, and quantity of all medications used or prescribed and for instructions to clients on the administration of drugs when the veterinarian will not be providing direct supervision.

(C) All drugs and biologicals shall be maintained, administered, dispensed, and prescribed in compliance with state and federal laws.

(D) All repackaged legend drugs dispensed for companion animals shall be in approved safety closure containers, except that this provision shall not apply to drugs dispensed to any person who requests that the medication not be placed in these containers, or in those cases in which the medication is of a form or size that it cannot be dispensed reasonably in these containers.

(E) All drugs dispensed shall be labeled in compliance with all state and federal laws and as a minimum include:

1. Name, address, and telephone number of the facility;
2. Patient's name;
3. Date dispensed;
4. Directions for use;
5. Name, strength (if more than one (1) dosage form exists), and quantity of drug and the expiration date when available; and
6. Name of prescribing veterinarian.

(F) All clients shall have the right to receive a written prescription from their veterinarian to take to the pharmacy of their choice so long as a valid veterinarian-patient-client relationship exists.

(G) Records shall be maintained of all medications prescribed and dispensed for any animal or group of animals in that animal's individual record or the herd owner's record. These pharmacy records may be transferred, in whole or in part, from one veterinarian to another, in writing or by telephone, at the request of the client/owner or owner's agent, when necessary to continue treatment or disease prevention medication started by the original attending veterinarian.

(H) A veterinarian may dispense no more than a seven (7) day supply per patient from an office stock compounded preparation provided by a licensed pharmacy. A patient specific prescription must be issued to continue treatment beyond seven (7) days and comply with all other requirements under this rule.

**(4) Vaccinations.**

(A) A vaccination is the administration of a vaccine to an animal in an attempt to prevent disease.

(B) A veterinarian-client-patient relationship must exist prior to administration or dispensing of a vaccine for diseases which are communicable to humans and which are of a public health significance in order to ensure that the patient is medically fit to receive it. In order to implement the exemption provisions of section 340.216.1(5), RSMo, the board recognizes that the following diseases are communicable to humans and are of public health significance, and that only a veterinarian may immunize or treat an animal for these diseases:

1. Brucellosis; and
2. Rabies.

(C) A plan for initial vaccination and subsequent revaccinations shall be formulated and communicated to the client.

(D) No vaccine shall be dispensed or administered unless provision has been made for treatment of vaccination-related emergencies. If this treatment is not to be provided on-site, clients will be advised where emergency service is provided.

**(5) Disposal of Dead Animals.** Sanitary methods for the disposal of deceased animals shall be provided and maintained. When the owner or owner's agent of a deceased animal has not given the veterinarian authorization to dispose of his/her animal, the veterinarian shall be required to retain the carcass for at least three (3) days following the death or three (3) days after notification to the owner or owner's agent, whichever is longer, in accordance with section 340.288.4, RSMo.

**(6) Anesthesia Services.**

(A) General anesthesia is a condition caused by the administration of a drug or combination of drugs sufficient to produce a state of unconsciousness or dissociation and blocked response to a given pain or alarming stimulus. Appropriate and humane methods of anesthesia, analgesia, and sedation shall be utilized to minimize pain and distress during surgical procedures.

(B) A veterinarian shall comply with the following standards when administering a general anesthetic:

1. Every animal shall be given a physical examination within twelve (12) hours prior to the administration of

an anesthetic; and

2. The animal under general anesthesia shall be under continuous observation until at least the swallowing reflex has returned and not be released to the client until the animal demonstrates a righting reflex. This shall not preclude direct transfer of an animal under anesthesia to a suitable facility for referred observation.

(C) Equipment.

1. Anesthetic equipment in accordance with the level of surgery performed will be available at all times. The minimum amount of support equipment required for the delivery of assisted ventilation will be—

A. Resuscitation bags of appropriate volumes; and

B. An assortment of endotracheal tubes with cuffs in working condition.

2. Oxygen equipment will be available at all times.

3. Some method of respiratory monitoring is mandatory, such as observing chest movements, watching the rebreathing bag, or use of a respirometer. Some method of cardiac monitoring is recommended and may include use of a stethoscope or electrocardiographic monitor.

(D) Effective means shall be provided for exhausting waste gases from hospital areas in which inhalation anesthesia is used. These means shall comply with existing federal, state, and local regulations and may include use of filtration canisters, gravitational or negative-suction venting, or a combination of these.

(E) Anesthetic equipment will be maintained in proper working condition.

(7) Surgical Services.

(A) Sterile surgery shall be defined as procedures in which aseptic technique is practiced in patient preparation, instrumentation, and surgical attire.

(B) Surgery Room.

1. A room shall be designated for aseptic surgery and it shall be clean, orderly, and properly maintained.

2. Nothing in this section shall preclude performance of emergency aseptic surgical procedures in another room when the room designated for that purpose is already occupied.

3. The surgery room will be well-lighted and will be provided with effective emergency lighting.

4. The floors, table tops, and counter tops of the surgery room will be of a material suitable for regular disinfection and cleaning, and will be cleaned and disinfected regularly.

(C) Instruments and Equipment.

1. Instruments and equipment will be—

A. Adequate for the type of surgical service provided; and

B. Sterilized by a method acceptable for the type of surgery for which they will be used.

2. In any sterile procedure, a sterile pack will be used.

(D) Sterilization. Aseptic surgery requires sterilization of all appropriate equipment. An acceptable method of sterilization must be used on all instruments, packs, and equipment intended for use in aseptic surgical procedures.

(E) Attire for surgical service. When performing clean surgery, the surgeon(s) and ancillary personnel shall wear clean clothing.

(8) Dental Service.

(A) Dental operation means—

1. The application or use of any instrument or device to any portion of an animal's tooth, gum, or any related tissue for the prevention, cure, or relief of any wound, fracture, injury, or disease of an animal's tooth, gum, or related tissue; and

2. Preventive dental procedures including, but not limited to, the removal of calculus, soft deposits, plaque, stains, or the smoothing, filing, or polishing of tooth surfaces.

(B) Nothing in this rule shall prohibit any person from utilizing cotton swabs, gauze, dental floss, dentifrice, toothbrushes, or similar items to clean an animal's teeth.

*AUTHORITY: sections 340.200 and 340.210, RSMo 2016.\* This rule originally filed as 4 CSR 270-4.031.*

*Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994.*

*Amended: Filed March 10, 1995, effective Sept. 30, 1995. Amended: Filed Oct. 10, 1995, effective April 30, 1996. Amended: Filed April 1, 2003, effective Sept. 30, 2003. Moved to 20 CSR 2270-4.031, effective Aug. 28, 2006. Amended: Filed March 31, 2008, effective Sept. 30, 2008. Amended: Filed July 25, 2018, effective Jan. 30, 2019. Emergency amendment filed March 20, 2019, effective March 30, 2019, expired Jan. 8, 2020.*

*Amended: Filed March 20, 2019, effective Sept. 30, 2019.*

\*Original authority: 340.200, RSMo 1992, amended 1999, 2004 and 340.210, RSMo 1992, amended 1993,

## **20 CSR 2270-4.041 Minimum Standards for Medical Records**

*PURPOSE: This rule describes the minimum standards for medical records.*

(1) Every veterinarian performing any act requiring a license pursuant to the provisions of section 340.200(28), RSMo upon any animal or group of animals shall prepare a legible, written, individual (or group) animal, and client record concerning the animal(s) which contains the requirements listed here. The medical record will provide documentation that an adequate physical examination was performed.

- (A) Name, address, and telephone number of animal's owner or agent.
- (B) Name or identity, or both, of the animal(s), including age, sex, breed, weight, and color, where appropriate.
- (C) A brief history.
- (D) Notations of the physical examination.
- (E) Treatments or intended treatment plans, or both, including medications, amounts administered, dispensed or prescribed, and frequency of use.
- (F) A diagnosis or tentative diagnosis.
- (G) When pertinent, a prognosis.
- (H) Progress notes and disposition of the case.
- (I) Dates (beginning and ending) of custody of the animal with daily notations.
- (J) In the case of vaccination clinics, a certificate including the information required by subsections (1)(A) and (B) may serve as the medical record.
- (K) The veterinarian who created the record.
- (L) Name of the veterinarian who orders any radiographs.

(2) Record and Radiograph Storage. All records shall be maintained for a minimum of five (5) years after the last visit, and all radiographs shall be maintained for a minimum of five (5) years from the date the radiograph was taken. Copies of records will be made available within a reasonable period of time upon the request of another treating veterinarian who has the authorization of the owner of the animal to which it pertains or directly to the owner or owner's agent. Documented proof of transfers of radiographs will be verifiable.

(3) Computer Records. Computer records are acceptable medical records so long as the security of the computer is maintained. If computer records are used by a veterinarian, a daily and cumulative monthly back-up shall be made. The board strongly recommends that the information required in section (1) of this rule be maintained on hard copy.

*AUTHORITY: sections 340.210, 340.264, and 340.284, RSMo 2016.\* This rule originally filed as 4 CSR 270-4.041. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed Dec. 1, 2005, effective June 30, 2006. Moved to 20 CSR 2270-4.041, effective Aug. 28, 2006. Amended: Filed March 31, 2008, effective Sept. 30, 2008. Amended: Filed July 25, 2018, effective Jan. 30, 2019.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.264, RSMo 1992, amended 1999; and 340.284, RSMo 1992.*

## **20 CSR 2270-4.042 Minimum Standards for Continuing Education for Veterinarians**

*PURPOSE: This rule defines the minimum standards for continuing education for veterinarians.*

(1) Pursuant to section 340.258, RSMo, all licensees shall provide satisfactory evidence of having completed at least ten (10) hours of continuing education each year that is relevant to the practice of veterinary medicine and in accordance with this rule in order to renew their licenses.

(2) The continuing education reporting period shall begin each year on December 1 and end November 30 of the following year. Continuing education hours earned after November 30 apply to the next reporting cycle. A renewal license will not be issued until all renewal requirements have been met.

(3) For the license renewal due on November 30, 2002, and each subsequent renewal thereafter, the licensee shall certify that he/she has obtained at least ten (10) hours of continuing education during the year preceding

the license renewal on the renewal form provided by the board. The renewal form shall be mailed directly to the board office prior to November 30 of each year. The licensee shall not submit the record of continuing education attendance to the board except in the case of a board audit. A licensee is not required to obtain any continuing education hours for the reporting period in which the licensee graduates from an accredited school of veterinary medicine and is initially licensed to practice as a veterinarian in Missouri.

(4) Every licensee shall maintain full and complete records of all approved continuing education hours earned for the two (2) previous reporting periods in addition to the current reporting period. The records shall document the titles of the courses taken, dates, locations, course sponsors, number of hours earned, and certificate of attendance or completion. The board may conduct an audit of licensees to verify compliance with the continuing education requirements. Licensees shall assist the board in its audits by providing timely and complete responses to the board's inquiries.

(5) Violation of any provision of this rule shall be grounds for discipline in accordance with section 340.264, RSMo.

(6) A continuing education hour includes but is not limited to:

- (A) Fifty (50) minutes of attendance at an approved workshop or seminar;
- (B) Fifty (50) minutes of reading an approved scientific journal;
- (C) Twenty-five (25) minutes of presentation in an approved workshop or seminar. No credit shall be granted for any subsequent presentations on the same subject matter during the same renewal period;
- (D) Completion of academic course work for credit in veterinary medicine at an accredited college of veterinary medicine with one (1) credit hour equaling ten (10) continuing education hours.

(7) The required ten (10) hours may be satisfied through any combination of the following education activities:

- (A) Attendance or presentation at scientific workshops or seminars approved by this board;
- (B) Completion of audio or video recordings, electronic, computer, or interactive materials or programs on scientific subjects prepared or sponsored by any of the organizations defined in section (8) below. The licensee must obtain written certification of course completion from the sponsor;
- (C) A maximum of two (2) hours of self-study reading approved scientific journals;
- (D) A maximum of four (4) hours attendance in an approved workshop or seminar on non-scientific subjects relating to the practice of veterinary medicine such as communication skills, medical record keeping, stress management, or practice management;
- (E) A maximum of four (4) hours of audio or video recordings, electronic, computer or interactive materials, or programs on non-scientific subjects, as set forth in subsection (7)(D) above, and prepared or sponsored by any of the organizations defined in section (8) below. The licensee must obtain written certification of course completion from the sponsor; or
- (F) Study in a graduate resident program at an American Veterinary Medical Association-approved veterinary school will satisfy the continuing education requirements for the year in which the veterinarian is enrolled in such program.

(8) Workshops, seminars, and prepared materials on scientific and non-scientific subjects relating to veterinary medicine approved by or sponsored by the following organizations are approved:

- (A) American Veterinary Medical Association;
- (B) Specialty groups of the American Veterinary Medical Association;
- (C) Regional meetings such as Central Veterinary Conference and Western Veterinary Conference;
- (D) Any state or province veterinary medical association;
- (E) Any local or regional veterinary medical association affiliated with a state veterinary medical association;
- (F) The American Animal Hospital Association;
- (G) American veterinary schools accredited by the American Veterinary Medical Association that are open to all licensees;
- (H) Any state veterinary academy;
- (I) American Association of Veterinary State Boards (AAVSB) or its successor— Registry of Approved Continuing Education (RACE);
- (J) Missouri State Veterinarian; and
- (K) Other programs receiving prior approval from this board.

(9) With the exception of any of the previously mentioned educational organizations, any other regularly organized group of veterinarians that wants to sponsor an educational program to meet the standards for license

renewal in Missouri shall submit one (1) copy of the program schedule and outline to the board's executive director not fewer than thirty (30) days prior to the date of the program. The outline must include the program's subject matter, the number of hours required for its presentation, and the identity and qualifications of the speakers and instructors. The board shall review the schedule and outline to determine if approval will be granted. The board will not consider requests for approval of any program submitted after it has already been presented.

(10) The following scientific journals are approved by the board:

- (A) Journal of the American Veterinary Medical Association;
- (B) The Journal of Veterinary Research;
- (C) Veterinary Medicine;
- (D) Publications of the American Veterinary Medical Association Approved Constituent Specialty Groups;
- (E) Compendium of continuing education;
- (F) Journal of American Animal Hospital Association;
- (G) Other publications approved in advance by the board.

(11) The board shall waive continuing education requirements as required by section 41.946, RSMo, and grant a waiver or an extension of time for continuing education requirements to a licensee for good cause. Any licensee seeking renewal of a license or certificate without having fully complied with these continuing education requirements who wishes to seek a waiver or extension of the requirements shall file with the board a renewal application, a statement setting forth the facts concerning the noncompliance, a request for waiver or an extension of time in which to complete the continuing education requirements and, if desired, a request for an interview before the board. If the board finds from the statement or any other evidence submitted, that good cause has been shown for waiving the continuing education requirements, or any part thereof, or for granting an extension of time in which to obtain the required continuing education hours, the board shall waive part or all of the requirements for the renewal period for which the licensee has applied or grant an extension of time, not to exceed six (6) months, in which to obtain the required continuing education hours. At that time, the licensee will be requested to submit the required renewal fee.

(A) Good cause shall be defined as an inability to devote sufficient hours to fulfilling the continuing education requirements during the applicable renewal period based on one (1) of the following reasons:

- 1. Full-time service in the armed forces of the United States during a substantial part of the renewal period; or
- 2. An incapacitating illness; or
- 3. Undue hardship.

(B) If an interview before the board is requested at the time the request for waiver or extension is filed, the licensee shall be given at least twenty (20) days written notice of the date, time, and place of the interview.

(12) Continuing education credit hours used to satisfy the continuing education requirements of another state may be submitted to fulfill the requirements of this state if the other state's continuing education requirements are substantially equal to or greater than the requirements of this state.

(13) A licensee who completes more than ten (10) continuing education hours, excluding self-study, during the current reporting period may receive credit for the excess hours, not to exceed ten (10), in the next succeeding reporting period. Continuing education hours cannot be carried over more than one (1) continuing education reporting period after being earned.

(14) Any licensee who seeks to renew an inactive, retired, or noncurrent license shall submit proper evidence that s/he has obtained at least ten (10) continuing education hours for each year that his/her license was inactive, retired, or noncurrent. These required approved continuing education credits shall not exceed a total of fifty (50) hours. The required hours must have been obtained within three (3) years prior to renewal.

*AUTHORITY: sections 41.946, 340.210, 340.258, and 340.268, RSMo 2016.\* This rule originally filed as 4 CSR 270-4.042. Original rule filed April 13, 2001, effective Oct. 30, 2001. Amended: Filed April 1, 2003, effective Sept. 30, 2003. Amended: Filed June 25, 2004, effective Dec. 30, 2004. Moved to 20 CSR 2270-4.042, effective Aug. 28, 2006. Amended: Filed Oct. 16, 2006, effective April 30, 2007. Amended: Filed July 22, 2009, effective Jan. 30, 2010. Amended: Filed Jan. 10, 2013, effective July 30, 2013. Amended: Filed July 25, 2018, effective Jan. 30, 2019.*

*\*Original authority: 41.946, RSMo 1991; 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.258, RSMo 1992, amended 1999; and 340.268, RSMo 1992.*

## **20 CSR 2270-4.050 Minimum Standards for Continuing Education for Veterinary Technicians**

*PURPOSE: This rule defines the minimum standards for continuing education for veterinary technicians.*

- (1) Each licensee shall certify by signature, under penalty of perjury that s/he has completed five (5) hours of continuing education units (CEUs) per year.
- (2) The continuing education reporting period shall begin each year on December 1 and end November 30 of the following year. Continuing education hours earned after November 30 shall apply to the next reporting cycle. A renewal license will not be issued until all renewal requirements have been met.
- (3) A registered veterinary technician may accumulate the required five (5) hours of continuing education for up to two (2) years. For example, if a formal meeting included ten (10) hours of CEUs, the applicant could report five (5) hours the year the meeting was held and report the other five (5) hours the next year. Under no circumstances can CEU credits be carried over more than one (1) renewal year after being earned. A licensee is not required to obtain any continuing education hours for the reporting period in which the licensee graduates from an accredited school of veterinary technology and is initially licensed to practice as a veterinary technician in Missouri.
- (4) Every licensee shall maintain full and complete records of all approved continuing education hours earned for the two (2) previous reporting periods in addition to the current reporting period. The records shall document the titles of the courses taken, dates, locations, course sponsors, number of hours earned, and certificate of attendance or completion. The board may conduct an audit of licensees to verify compliance with the continuing education requirements. Licensees shall assist the board in its audits by providing timely and complete responses to the board's inquiries.
- (5) Violation of any provision of this rule shall be grounds for discipline in accordance with section 340.264, RSMo.
- (6) A continuing education hour includes, but is not limited to:
  - (A) Fifty (50) minutes of attendance at an approved workshop or seminar;
  - (B) Fifty (50) minutes of reading an approved journal;
  - (C) Twenty-five (25) minutes of presentation in an approved workshop or seminar. No credit shall be granted for any subsequent presentations on the same subject matter during the same renewal period; or
  - (D) Completion of academic course work for credit in veterinary medicine in an accredited college of veterinary technology with one (1) credit hour equaling ten (10) continuing education hours.
- (7) At least three (3) hours of the five (5) hour per year requirement shall be obtained by—
  - (A) Attendance at an approved workshop or seminar; or
  - (B) Completion of audio or video recordings, electronic, computer or interactive materials, or programs on scientific subjects prepared or sponsored by the board or the American Association of Veterinary State Boards (AAVSB) or its successor—Registry of Approved Continuing Education (RACE). The licensee must obtain written certification of course completion from the sponsor.
- (8) The other two (2) hours of the five (5) hour requirement may be fulfilled by—
  - (A) One (1) clock hour of consultation with another registered veterinary technician or licensed veterinarian other than the applicant's supervisor. This consultation shall be documented by reporting the name and profession of the person with whom the applicant consulted, the date, time, and subject matter(s) discussed on the annual renewal registration application; and
  - (B) One (1) clock hour of reading from a professional journal. This reading shall be documented by reporting the name and publication date of the journal and the subject matter of the article(s) read on the annual renewal registration application; and
  - (C) One (1) clock hour of audio or video recordings, electronic, computer or interactive materials or programs on non-scientific subjects relating to the practice of veterinary medicine such as communication skills, medical record keeping, stress management, or practice management. The licensee must obtain written certification of course completion from the sponsor.
- (9) Workshops, seminars, and prepared materials on scientific and non-scientific subjects relating to veterinary medicine approved by or sponsored by the following organizations are approved:

- (A) American Veterinary Medical Association;
- (B) Specialty groups of the American Veterinary Medical Association;
- (C) Regional meetings such as Central Veterinary Conference and Western Veterinary Conference;
- (D) Any state or province veterinary medical association;
- (E) Any local or regional veterinary medical association affiliated with a state veterinary medical association;
- (F) The American Animal Hospital Association;
- (G) American veterinary schools accredited by the American Veterinary Medical Association that are open to all licensees;
- (H) Any state veterinary academy;
- (I) American Association of Veterinary State Boards (AAVSB) or its successor—Registry of Approved Continuing Education (RACE);
- (J) Missouri State Veterinarian; and
- (K) Other programs receiving prior approval from this board.

(10) With the exception of any of the previously mentioned educational organizations, any other regularly organized group of veterinarians or veterinary technicians that want to sponsor an educational program to meet the standards for license renewal in Missouri shall submit one (1) copy of the program schedule and outline to the board's executive director not fewer than thirty (30) days prior to the date of the program. The outline must include the program's subject matter, the number of hours required for its presentation and the identity and qualifications of the speakers and instructors. The board shall review the schedule and outline to determine if approval will be granted. The board will not consider requests for approval of any program submitted after it has already been presented.

(11) The board shall waive continuing education requirements as required by section 41.946, RSMo and otherwise may grant a waiver or an extension of time for continuing education requirements to a licensee for good cause. Any licensee seeking renewal of a license or certificate without having fully complied with these continuing education requirements who wishes to seek a waiver or extension of the requirements shall file with the board a renewal application, a statement setting forth the facts concerning the noncompliance, a request for waiver or extension of time in which to complete the continuing education requirements and, if desired, a request for an interview before the board. If the board finds from the statement or any other evidence submitted, that good cause has been shown for waiving the continuing education requirements, or any part thereof, or for granting an extension of time in which to obtain the required continuing education hours, the board shall waive part or all of the requirements for the renewal period for which the licensee has applied or grant an extension of time, not to exceed six (6) months, in which to obtain the required continuing education hours. At that time, the licensee will be requested to submit the required renewal fee.

(A) Good cause shall be defined as an inability to devote sufficient hours to fulfilling the continuing education requirements during the applicable renewal period based on one of the following reasons:

1. Full-time service in the armed forces of the United States during a substantial part of the renewal period; or
2. An incapacitating illness; or
3. Undue hardship.

(B) If an interview before the board is requested at the time the request for waiver or extension is filed, the licensee shall be given at least twenty (20) days written notice of the date, time, and place of the interview.

(12) Any licensee who seeks to renew an inactive, retired, or noncurrent registration shall submit proper evidence that s/he has obtained at least five (5) continuing education hours for each year that his/her registration was inactive, retired, or noncurrent. These required approved continuing education credits shall not exceed a total of twenty (20) hours. The required hours must have been obtained within three (3) years prior to renewal.

*AUTHORITY: sections 41.946, 340.210, 340.258, and 340.324, RSMo 2016.\* This rule originally filed as 4 CSR 270-4.050. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Amended: Filed June 25, 2004, effective Dec. 30, 2004. Moved to 20 CSR 2270-4.050, effective Aug. 28, 2006. Amended: Filed July 9, 2008, effective Jan. 30, 2009. Amended: Filed Aug. 8, 2019, effective Feb. 29, 2020.*

*\*Original authority: 41.946, RSMo 1991; 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.258, RSMo 1992, amended 1999; and 340.324, RSMo 1992, amended 1999.*

## **20 CSR 2270-4.060 Minimum Standards for Supervision**

*PURPOSE: This rule defines the minimum standards for supervision.*

(1) Duties of the Supervising Veterinarian—

- (A) The supervising veterinarian shall be responsible for determining the competency of the veterinary technician, veterinary medical candidate, temporary licensee, provisional licensees, veterinary medical preceptor or unregistered assistant to perform delegated animal health care tasks;
- (B) The supervising veterinarian of a veterinary technician, veterinary medical candidate, temporary licensee, provisional licensees, veterinary medical preceptor or unregistered assistant shall make all decisions relating to the diagnosis, treatment, management and future disposition of the animal patient; and
- (C) The supervising veterinarian shall have examined the animal patient prior to the delegation of any animal health care task to either a veterinary technician, veterinary medical candidate, temporary licensee, provisional licensees, veterinary medical preceptor or an unregistered assistant. The examination of the animal patient shall be conducted at such time as good veterinary medical practice requires consistent with the particular delegated animal health care task.

(2) The required levels of supervision of individuals with different levels of training performing various delegated animal health care tasks are designated in the accompanying table, included herein.

(3) The supervising veterinarian must be in good standing. To be in good standing the veterinarian's license(s) must be current and unencumbered.

*AUTHORITY: sections 340.210, 340.222 and 340.326, RSMo 2000.\* This rule originally filed as 4 CSR 270-4.060. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Amended: Filed April 1, 2003, effective Sept. 30, 2003. Moved to 20 CSR 2270-4.060, effective Aug. 28, 2006. Amended: Filed Oct. 30, 2007, effective April 30, 2008.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.222, RSMo 1992, amended 1999; and 340.326, RSMo 1992.*

**\*\*THE REQUIRED LEVELS OF SUPERVISION TABLE IS LOCATED ON THE LAST PAGE OF THE RULES  
(PAGE 82)**

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 2270—Missouri Veterinary Medical Board**  
**Chapter 5—Veterinary Facilities Permits**

**20 CSR 2270-5.011 Permit Applications**

*PURPOSE: This rule outlines the procedures required to secure a permit for all veterinary facilities and defines the term veterinarian in charge.*

- (1) All veterinary facilities shall have a facility permit issued by the Missouri Veterinary Medical Board.
- (2) Applications for facility permits must be made on the forms provided by the board. Permit application forms may be obtained by requesting them from the executive director, Missouri Veterinary Medical Board, PO Box 633, Jefferson City, MO 65102.
- (3) The application must be legible (printed or typed), signed under oath or affirmation by the responsible veterinarian in charge of the facility and accompanied by the appropriate fee.
- (4) The veterinarian in charge of the veterinary establishment is responsible for—
  - (A) The operation and management of the veterinary facility;
  - (B) Regularly being on site which means being directly present at the facility on a routine basis;
  - (C) Maintaining the facility within the standards set forth by this chapter and Chapter 4—Minimum Standards; and
  - (D) The veterinarian in charge will be responsible for the supervision of all veterinary and veterinary technician personnel, to assure full compliance with the veterinary laws of Missouri.
- (5) The following documents must be on file for a permit application to be considered complete:
  - (A) Completed application;
  - (B) Appropriate fee;
  - (C) Completed self-inspection form; and
  - (D) If a business entity owns the facility, a copy of the articles of incorporation, partnership agreement, or business organization documents that clearly state that the licensed veterinarian is not subject to the direction of anyone not licensed to practice veterinary medicine in Missouri in making veterinary medical decisions or judgments.
- (6) Upon receipt of a completed application, the facility permit may be issued. The permit shall be conspicuously displayed within the facility.
- (7) If ownership of a veterinary facility changes, the veterinarian in charge to whom the permit was originally issued is responsible for notifying the board and returning the permit within thirty (30) days of the change in ownership. The veterinarian in charge must apply for a new permit and submit all applicable fees prior to performing any veterinary services in the facility.
- (8) If the name of a veterinary facility changes, the veterinarian in charge is responsible for notifying the board and returning the permit within thirty (30) days of the name change. The veterinarian in charge must apply for a new permit and submit all applicable fees prior to doing business under the new name.
- (9) If the physical location of a veterinary facility changes, the veterinarian in charge is responsible for notifying the board and returning the permit within thirty (30) days of the location change. The veterinarian in charge must complete a facility permit and self-inspection form with the new location information.
- (10) If a change of ownership, location, name, and/or function has occurred, the veterinarian in charge must apply for a new permit and submit all applicable fees prior to performing any veterinary services in the facility.

*AUTHORITY: sections 340.210 and 340.226, RSMo 2016.\* This rule originally filed as 4 CSR 270-5.011. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Moved to 20 CSR 2270-5.011, effective Aug. 28, 2006. Amended: Filed Aug. 8, 2019, effective Feb. 29, 2020.*

## **20 CSR 270-5.021 Veterinary Facility Self-Inspection Procedures**

*PURPOSE: This rule outlines the procedures for self-inspection of veterinary facilities.*

- (1) The veterinarian in charge of each veterinary facility in the state is responsible for completing the self-inspection form and returning it to the board office.
- (2) The self-inspection form (see 20 CSR 2270-5.011) is available from the executive director, Missouri Veterinary Medical Board, P.O. Box 633, Jefferson City, MO 65102.
- (3) The purpose of the self-inspection is to verify that all veterinary facilities comply with the minimum standards which are found in Chapter 4 of these rules.
- (4) Pursuant to 340.210, RSMo the board may inspect a veterinary facility about which the board has received a complaint.

*AUTHORITY: sections 340.210 and 340.264, RSMo 2000.\* This rule originally filed as 4 CSR 270-5.021. Original rule filed Nov. 4, 1992, effective July 8, 1993. Moved to 20 CSR 2270-5.021, effective Aug. 28, 2006. Amended: Filed June 27, 2008, effective Dec. 30, 2008.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; and 340.264, RSMo 1992, amended 1999.*

## **20 CSR 2270-5.031 Facility Permit Renewal Procedures**

*PURPOSE: This rule outlines the procedures for the renewal of facility permits.*

- (1) A facility permit shall be reviewed annually on or before the expiration of the permit by submitting the properly completed renewal application and inspection form and the fee to the Missouri Veterinary Medical Board. The renewal application and inspection form shall be signed under oath or affirmation.
- (2) Failure of the veterinarian in charge to receive the notice and application to renew the permit shall not excuse him/her from the requirements of this rule.
- (3) Each facility permit shall expire annually on March 31. Failure to renew a permit constitutes grounds for discipline pursuant to 340.264.2(13) and (25), RSMo for all veterinarians and veterinary technicians working at the facility. If the permit is not renewed within thirty (30) days of the expiration date, a penalty fee will be assessed.

*AUTHORITY: sections 340.210, RSMo Supp. 1993 and 340.264, RSMo Supp. 1992.\* This rule originally filed as 4 CSR 270-5.031. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Moved to 20 CSR 2270-5.031, effective Aug. 28, 2006.*

*\*Original authority: 340.210, RSMo 1992, amended 1993; and 340.264, RSMo 1992.*

## **20 CSR 2270-5.041 Temporary Continuance of Veterinary Practice Upon Death of Owner**

*PURPOSE: This rule establishes a way for an individually owned veterinary practice to be continued when the owner dies.*

- (1) Upon the demise of the licensed owner of an individually owned veterinary practice, an unlicensed spouse or the executor, administrator, trustee or personal representative of the licensee's estate may continue to own and maintain the practice for a period of one (1) year in order to convey or liquidate the practice, provided that the services of a Missouri licensed veterinarian shall be engaged to be the veterinarian in charge.
- (2) The unlicensed owner shall provide the Veterinary Medical Board with written notice of the veterinarian in charge in accordance with 20 CSR 2270-5.011(6). The thirty (30) day time period may be extended upon written petition to the board.
- (3) The veterinarian in charge shall also write to the board indicating his/her willingness to assume the position.

(4) If, for any reason, the veterinarian in charge is terminated, both the owner and the veterinarian in charge shall immediately inform the board in writing and a new veterinarian in charge shall be immediately engaged and registered with the board.

(5) The one (1)-year period of conveyance or liquidation may be extended following written petition to the board.

(6) Nothing in this rule shall be construed to authorize the unlicensed practice of veterinary medicine as defined in section 340.216, RSMo.

*AUTHORITY: sections 340.210 and 340.264, RSMo 2000.\* This rule originally filed as 4 CSR 270-5.041. Original rule filed March 10, 1995, effective Sept. 30, 1995. Moved to 20 CSR 2270-5.041, effective Aug. 28, 2006. Amended: Filed Oct. 30, 2007, effective April 30, 2008. Amended: Filed June 27, 2008, effective Dec. 30, 2008.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999 and 340.264, RSMo 1992, amended 1999.*

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 2270—Missouri Veterinary Medical Board**  
**Chapter 6—Professional Conduct for the Practice of Veterinary Medicine**

**20 CSR 2270-6.011 Rules of Professional Conduct**

*PURPOSE: This rule establishes a professional code of conduct for veterinarians and veterinary technicians.*

- (1) Pursuant to section 340.210.2(13), RSMo, the Missouri Veterinary Medical Board adopts the following rules to be referred to as the rules of professional conduct. These rules of professional conduct are binding on every person licensed by the board to practice as a veterinarian or registered by the board to practice as a veterinary technician. Whenever the term licensee is used, it shall be read to include any individual possessing a license, certificate of registration, permit, or any other form of authorization issued by the board pursuant to Chapter 340, RSMo. Any act or practice found to be in violation of these rules of professional conduct shall be considered as unprofessional conduct and be grounds for the filing of a complaint with the Administrative Hearing Commission.
- (2) In the performance of professional services, licensees at all times shall be cognizant that their primary responsibility is to the public's safety, health, or welfare and that this responsibility shall never be compromised by self-interest, personal advantage, or monetary gain.
- (3) Licensees shall undertake to perform only those professional services for which they, or those whom the licensee may employ, are qualified by education, training, or experience to perform. If the licensee is not qualified to provide services requiring advanced training or education, the licensee must truthfully and accurately inform the client of those limitations and offer all available assistance in referring the client to colleagues or other professionals who are qualified to render those services or treatments.
- (4) Licensees, directly or indirectly, shall not injure the professional reputation, standing, prospects of practice or employment of another member of the profession in any manner which could reasonably be deemed as malicious, false, or misleading.
- (5) Licensees at all times shall conform their practice to the currently accepted standards for the profession of veterinary medicine as these standards are set forth under Chapter 340, RSMo or by any rule lawfully promulgated by the board or as otherwise found to be accepted within the profession as gauged by the reasonable conduct of other professionals engaged in the practice of veterinary medicine.
- (6) Licensees shall not initiate or knowingly participate in any form of advertising or solicitation that contains false, deceptive, or misleading statements or claims.
- (7) A licensee shall not advertise, state, or imply by any means that s/he is a specialist in any given field unless the licensee is, in fact, a diplomate of an American Veterinary Medical Association (AVMA)-recognized specialty and is board-certified by the AVMA.
- (8) Licensees at all times shall conduct themselves in a professional manner with the general public and clients through courteous verbal exchange. Licensees shall provide all clients with a diagnostic assessment and treatment plan, to include recommendations and medications when appropriate, prior to rendering the treatment, except in cases of emergencies where the client cannot be reached for consultation within a reasonable time frame as dictated by the patient's condition. All clients shall be informed of any required follow-up treatment. All diagnostic assessments, treatment plans, medications, and other pertinent information regarding the treatment of the patient shall be recorded in the patient's medical record and a copy of the record shall be made available to the client upon request.
- (9) In the event that a client should choose to consult with or utilize the services of another veterinarian, the licensee shall withdraw from the case if so requested. The licensee shall indicate the circumstances for withdrawal on the medical records and cooperate fully with the other veterinarian to include the transmittal of a copy of all pertinent medical records upon the request of the other veterinarian who has the authorization of the owner of the animal to which it pertains or directly to the owner or owner's agent.
- (10) Although a licensee may choose whom to serve, once the care of a patient has been undertaken the licens-

ee has an obligation to provide reasonable services or treatment to stabilize the patient or to prevent unnecessary suffering or pain.

(11) Licensees shall not reveal confidential, proprietary, or privileged facts or data or any other sensitive information contained in a patient's medical records or as otherwise obtained in a professional capacity without the prior consent of the client except as otherwise authorized or required by Chapter 340, RSMo, lawful rules as promulgated by the board, court order, or any other state or federal law, or regulation. However, this section shall not apply to cases in which the veterinarian may observe animal abuse or neglect. The board recognizes that veterinarians may observe cases of animal abuse or neglect as defined by federal or state laws, or local ordinances. When these situations cannot be resolved through education, the board considers it the responsibility of the veterinarian to report such cases to the appropriate authorities. Disclosures may be necessary to protect the health and welfare of animals and people. Veterinarians should be aware that accurate record keeping and documentation of these cases are invaluable.

(12) Licensees have an obligation to immediately inform the board of any disciplinary action taken against their licenses to practice veterinary medicine by another state or federal authority or of the suspension, revocation or surrender of any controlled substance license or registration issued by any state or federal authority. Licensees at all times shall conduct their professional activities in conformity with all state and federal laws and regulations.

(13) Licensees have an obligation and professional duty to cooperate with any reasonable request by the board to appear before the board or to furnish information to the board upon request concerning any investigation or complaint.

(14) Licensees at all times shall comply with any lawful order issued by the board or with any consent agreement voluntarily entered into between the licensee and the board.

(15) A licensee shall not dispense or prescribe any controlled substance or legend drug except in the professional course of his/her practice and only upon the establishment of a bona fide veterinarian-client-patient relationship.

(16) A licensee shall not issue any certificate of health/inspection required or authorized by state, federal, or municipal law unless s/he has personal knowledge of the factual averments contained in the certificate of health by means of actual inspection, examination, appropriate testing, or any combination of these, of the animal(s).

(17) A licensee shall not aid or abet, either directly or indirectly, the unlawful practice of veterinary medicine and shall be obligated to report to the board any information which the licensee has regarding the unlawful or unlicensed practice of veterinary medicine.

(18) A licensee shall not delegate any professional responsibility to any person, whether or not that person is employed by the licensee, except as otherwise provided for or authorized under and pursuant to Chapter 340, RSMo or any lawful rule promulgated by the board.

(19) A licensee shall obtain the informed written consent of the client prior to placing any patient under anesthesia or performing any surgical procedure, or both, except in an emergency.

(20) Licensees shall have the responsibility and obligation to ascertain whether or not any person engaged in the employment of the licensee has the necessary license or registration to practice his/her profession in this state and that the license or registration is current.

(21) A licensee shall obtain the consent of the client prior to transporting a patient to another facility for veterinary care or lodging, unless circumstances qualifying as an emergency do not permit obtaining consent, or as otherwise provided for under Chapter 340, RSMo or any lawful rule promulgated by the board.

(22) Licensees shall notify clients where to call if a licensed veterinarian is unavailable at that facility. The use of an answering device will meet the intent of this rule.

(23) The initials "RVT" shall designate a registered veterinary technician. Only those individuals who are so licensed by the board may use the designation with their name.

*AUTHORITY: section 340.210, RSMo 2016.\* This rule originally filed as 4 CSR 270-6.011. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Amended: Filed June 28, 2002, effective Dec. 30, 2002. Moved to 20 CSR 2270-6.011, effective Aug. 28, 2006. Amended: Filed*

*Oct. 30, 2007, effective April 30, 2008. Amended: Filed July 25, 2018, effective Jan. 30, 2019.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999.*

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 2270—Missouri Veterinary Medical Board**  
**Chapter 7—Disciplinary Proceedings**

**20 CSR 2270-7.010 Public Complaint Handling and Disposition Procedure**

*PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints pursuant to the mandate of section 620.010.15(6), RSMo.*

- (1) All complaints shall be made in writing on an official complaint form available from the board office and shall fully identify the complainant by name and address. Oral or telephone communications will not be considered or processed as complaints. The person making these communications will be asked to file a written statement.
- (2) Complaints shall be mailed or delivered to the following address: Missouri Veterinary Medical Board, P.O. Box 633, Jefferson City, MO 65102. Complaints may be based upon personal knowledge or beliefs based on information received from other sources. The executive director or any board staff member may file a complaint pursuant to this rule in the same manner as any member of the public.
- (3) Each complaint received under this rule will be maintained by the board. The complaint file will contain a record of each complainant's name and address; the name and address of the subject(s) of the complaint; the date each complaint is received by the board; a brief statement of the complaint, including the name of any person injured or victimized by the alleged acts or practices; a notation whether the complaint resulted in its dismissal by the board or formal charges being filed with the Administrative Hearing Commission and the ultimate disposition of the complaint. This complaint file shall be a closed record of the board.
- (4) Each complaint received under this rule shall be acknowledged in writing. The complainant shall be notified of the ultimate disposition of the complaint.

- (5) This rule shall not be deemed to limit the board's authority to file a complaint with the Administrative Hearing Commission charging a licensee with any actionable conduct or violation. The complaint filed by the board need not be limited to the acts charged in a public complaint.

*AUTHORITY: sections 340.210 and 340.282, RSMo 2000 and 620.010.15, RSMo Supp. 2002.\* This rule originally filed as 4 CSR 270-7.010. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 1, 2003, effective Sept. 30, 2003. Moved to 20 CSR 2270-7.010, effective Aug. 28, 2006.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; 340.282, RSMo 1992; and 620.010.15., RSMo 1973, amended 1981, 1983, 1986, 1989, 1990, 1993, 1994, 1995, 1999, 2001.*

**20 CSR 2270-7.020 Revocation of Temporary or Provisional License**

*PURPOSE: This rule sets forth the procedure to be used for revocation of temporary licenses under section 340.250, RSMo.*

- (1) All proceedings instituted or conducted by the board, or both, in regard to the revocation of temporary or provisional licenses as authorized under section 340.250, RSMo shall be handled in accordance with the provisions as set forth under Chapter 536, RSMo as a contested case.
- (2) Nothing contained under section (1) shall preclude the informal disposition of contested cases by stipulation, consent order or agreed settlement.

*AUTHORITY: sections 340.210 and 340.250, RSMo 2000.\* This rule originally filed as 4 CSR 270-7.020. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed April 13, 2001, effective Oct. 30, 2001. Moved to 20 CSR 2270-7.020, effective Aug. 28, 2006.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; and 340.250, RSMo 1992, amended 1999.*

## **20 CSR 2270-7.030 Automatic Revocation of License**

*PURPOSE: This rule sets forth the procedure to be used for the automatic revocation of licenses under section 340.274, RSMo.*

(1) All proceedings conducted by the board in regard to the automatic revocation of licenses as authorized under section 340.274, RSMo shall be handled in accordance with the provisions as set forth under Chapter 536, RSMo as a contested case.

(2) Nothing contained under section (1) shall preclude the informal disposition of contested cases by stipulation, consent order or agreed settlement.

*AUTHORITY: sections 340.210 and 340.274, RSMo Supp. 1992.\* This rule originally filed as 4 CSR 270-7.030. Original rule filed Nov. 4, 1992, effective July 8, 1993. Moved to 20 CSR 2270-7.030, effective Aug. 28, 2006.*

*\*Original authority: 340.210, RSMo 1992, amended 1993, 1995, 1999; and 340.274, RSMo 1992.*

**MISSOURI STATE VETERINARY MEDICAL BOARD**  
**REQUIRED LEVELS OF SUPERVISION**

	ANESTHESIA-MONITORING*	INDUCTION*	EUTHANIZA	SURGERY	DIAGNOSIS	PRESCRIBING CON-TROLLED	TREATMENT @ FACILITY	ADMINISTER-RABIES	BIOLOGICS OTHER	ROUTINE DENTAL PROPHY-LAXIS
<b>PROVISIONAL LICENSEE</b>	<b>B</b>	<b>B</b>	<b>B</b>	<b>B</b>	<b>B</b>	<b>D</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>B</b>
<b>(RVT) REGISTERED VET. TECHNICIAN</b>	<b>B</b>	<b>A</b>	<b>B</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>C</b>	<b>B</b>	<b>D</b>	<b>B</b>
<b>UNREGISTERED ASSISTANT</b>	<b>A</b>	<b>D</b>	<b>A</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>C</b>	<b>A</b>	<b>D</b>	<b>A</b>
<b>VETERINARY STUDENT</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>D</b>	<b>D</b>	<b>C</b>	<b>B</b>	<b>D</b>
<b>CONSULTING** LICENSEE FROM ALLIED PROFESSIONS</b>	<b>D</b>	<b>D</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>D</b>	<b>D</b>	<b>A</b>	<b>A</b>	<b>D</b>
<i>* Monitoring of or administration of pre-calculated dose of anesthesia</i>										
<i>** Dentist, Chiropractor, Physician, etc.</i>										

**A = Immediate Supervision:** the licensed veterinarian is in the immediate area and within audible and visual range of animal patient and the person treating the patient;

**B = Direct Supervision:** the licensed veterinarian is on the premises where the animal is being treated and is quickly and easily available and the animal has been examined by a licensed veterinarian at such times as acceptable veterinary medical practice requires consistent with the particular delegated animal health care task;

**C = Indirect Supervision:** the licensed veterinarian need not be on the premises but has given either written or oral instructions for the treatment of the animal patient or treatment protocol has been established and the animal has been examined by a license veterinarian at such times as acceptable veterinary medical practice requires consistent with the particular delegated health care task; provided that the patient is not in a surgical plane of anesthesia and the licensed veterinarian is available for consultation on at least a daily basis;

**D = Not Legal**

